

SUPREME COURT RULES NEW DEAL'S TVA ACT VALID, UPHOLDING FEDERAL RIGHT TO SELE ELECTRIC POWER

Talmadge Orders Unused Balances Paid to Bureaus

Governor Resorts to Appropriations of Former Years To Finance His Fundless Departments With 1936 Tax Monies.

HAMILTON STUDIES EXECUTIVE'S FIAT

Sums Due Amount to Total Drawn Last Year Under Legislative Sanction by Georgia Agencies

Texts of Talmadge Proclamation and Opinion by Yeomans in Page 12.

Governor Talmadge yesterday turned to unpaid appropriations of former years to finance fundless departments of the state through this year, using 1936 tax monies to pay the appropriations.

He issued a proclamation and an executive order decreeing the unpaid balances of appropriations of the last five years a debt of the treasury to the various departments and ordered them paid out of current revenues but limited the total to be expended during the year to the total expended during 1935. If he succeeds in obtaining the unpaid balances he said he would use them to pay the appropriations during the year the various departments, cared for under a general appropriations act, will receive the same as they did last year, about \$8,500,000.

The Governor, accompanying his proclamation and executive order, made public an opinion from Attorney-General M. J. Yeomans holding the action is legal.

Hamilton Studies Order.
State Treasurer George B. Hamilton, who pays out warrants on the treasury, said he had taken the matter "under advisement" adding it would be two or three days before he had anything to say on the situation. Comptroller-General William B. Harrison, who must countersign all warrants before they are presented to the treasury, said he had "no comment."

No effort was made yesterday for fundless departments to obtain money under the proclamation. As far as could be learned employees of the department of agriculture, the office of the supervisor of purchases and the building and grounds division of the Governor's office, whose pay was due February 15, have not yet been paid. In his proclamation, the Governor said the unpaid balances had not lapsed because no requisitions had been made for them while money was in the treasury.

The proclamation sets out that under the appropriations acts of 1931 and 1933 budget bureau cuts in the following percentages were ordered because the revenue for the year did not come up to anticipations:

In 1932, 11 1/2 per cent; in 1933, 29 per cent; in 1934, 21 per cent; in 1935, 20 per cent, of which 1 1/2 per cent had been paid since January 1, 1936.

Previous Order Cancelled.
The 1934 unpaid balance was decreed not to have lapsed and was ordered paid to the departments, despite a previous executive order, issued Dec. 1, 1935.

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The News at a Glance

Clip this each day and make your scrapbook a thumbnail history. February 18, 1936.

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Thirty candidates seek offices in Carroll county. Page 8

C. S. Nall, prominent educator, dies at Luthersville. Page 8

Textile mill at LaFayette pays bonus to employees. Page 8

DOMESTIC.

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Bonus, farm appropriations approved in senate. Page 1

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Trenchard slated to set new Bruno death date Wednesday. Page 1

Paraguay in Hands Of Revolutionists

ASUNCION, Paraguay, Feb. 17.—(UP)—The government surrendered at 10 p. m. to revolutionary forces which completely dominated the situation in the capital.

The military overthrew the administration of President Eusebio Ayala which legally would have ended this year.

Hostilities broke out in the city at 7 a. m. today.

Artillery forces and naval vessels joined the rebellion and the revolutionists gained the upper hand without a great deal of fighting.

The revolutionists, headed by Colonel Federico Smith, were awaiting arrival from Buenos Aires, Argentina, of the real leader of the movement, said to be Colonel Rafael Franco, a hero in the Chaco campaign, who was banished from the country several days ago for alleged subversive activities.

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POOLE'S FRIENDS DEFEAT ATTEMPT TO ABOLISH JOB

Assistant Chief of Police Weathers First Attack in Department Wrangle. Session Is Delayed.

Text of Police Committee Report in Page 3.

A. Lamar Poole, first assistant chief of police in charge of the detective bureau until his suspension early Friday morning, yesterday weathered a police committee attempt to abolish his council-created job when council refused to vote committee demands by a vote of only half a dozen for to 29 against.

Poole's friends voted with those seeking abolition to put the rescinding ordinance on second reading, and then submerged it beneath a deluge of votes.

The action came after nearly two hours' debate, in which the committee efforts were flayed and praised, and during which Poole was lauded.

Never at any moment was there any danger that council would subscribe to police committee demands and vote to rescind the ordinance passed in 1927, which established the post of first assistant chief of police in charge of detectives.

The ordinance was passed by a vote of 29 to 15, with 15 abstentions.

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Lo, the Poor Vintner: The Sad Tale Of an Honest Farmer and His Wine

Georgia's Simple Law, Linder's Voluminous Private Regulations, U. S. Laws Tie Ellijay Planter in Beautiful But Undrinkable Red Tape.

BY LAMAR Q. BALL.

Georgia's laws for the manufacture of wine, "to promote temperance and prosperity for Georgia people," as House Bill No. 791 puts it, are enough to drive anyone to drink, according to C. B. McLaughlin, planter of Ellijay, Ga., who set out recently to find out how he could translate his grape crops into profitable wines.

Mr. McLaughlin some time ago made some wine. Then, it occurred to him he had better look up the law and assure himself he was not violating something or other. So he journeyed from Ellijay to Atlanta and spent a day trudging between the department of agriculture in the state capital and the federal alcohol tax unit in the Hurt building and winding up in the late afternoon, bound hand and foot with red tape. He has gone back to Ellijay to ponder the problem of his vineyards.

Over at the alcohol tax unit offices Mr. McLaughlin learned that the Georgia law and Mr. Linder's detailed instructions were only part of his problem. There were federal regulations to observe.

"If you are making wine for your own use, you cannot make more than 200 gallons a year and you cannot have more than 200 gallons at any time," he was told. "If you make 200 gallons and you have any left over from the previous year, you must destroy the old wine or enough of the new so that you don't have more than 200 gallons."

From the state law, he learned it was hereby enacted by the general assembly of Georgia, March 20, 1935, that "all persons growing crops, either wild or cultivated, of grapes, fruits or berries, may make therefrom fermented wine, or wines, having such

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COUGHLIN'S FEUD WITH N. Y. SOLON NEARS SHOWDOWN

Radio Priest Slated To Arrive in Washington Today 'To Be Kicked From Capitol' by Foe.

WASHINGTON, Feb. 17.—(AP)—The battle of bitter words between Representative O'Connor, democrat, New York, and Father Charles E. Coughlin today raged on one-sidedly, but with the threat of the burly New Yorker to kick the Royal Oak, Mich., radio priest down Pennsylvania avenue still up in the air.

In fact, the prospect for a showdown between the two tonight stood on a maybe-tomorrow, maybe-a-week from next-Wednesday basis.

While O'Connor asserted that "what I said goes," and added in a statement that "the Catholic church is ashamed" of Father Coughlin, the radio priest himself said nothing at all. On the house floor, however, Representative Sweeney, democrat, Ohio, asserted he had been told by Father Coughlin that he would be here "tomorrow morning."

Ready for Coughlin.

To this O'Connor remarked he would make it a point to be in his office at that time.

Nevertheless, the word emanating from the Detroit headquarters of the pastor of the Shrine of the Little Flower was that the radio cleric would be in Washington on February 26—a week from Wednesday. A secretary added that he had "no remarks whatever" on O'Connor's threat.

Throughout the day there was audible cloakroom banter among house members as to what would happen when, and if, the two met. One remark overheard outside was that the standing room would be at a premium. On the floor, Representative Zinn, democrat, Washington, suggested that perhaps a guard should be on hand.

Coughlin is a well-built man, with something of a reputation as an athlete in school. O'Connor also is big and square-shouldered.

It all happened this way, Father Coughlin in a radio address yesterday termed O'Connor a "servant" of the "money changers." He charged the

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Drifting Snow in Midwest Brings New Barriers to Isolated Areas

Slender Supplies of Food and Fuel Dwindle Toward Privation Level; Six Sleds Bring Rations to Village Marooned for Month.

CHICAGO, Feb. 17.—(P)—Drifting snow raised new barriers about isolated villages in the midwestern storm country today as slender stores of food and fuel dwindled toward the privation level.

A half dozen South Dakota communities—Hereford, Volunteer, Stoneville, Creighton, Fairpoint and Hoover were cut off again after rescue expeditions had cleared roads leading to them over the week-end. Milder reports from the hamlets represented conditions as approaching the critical point.

Corn and fence posts were burned at Hereford. All the flour was gone at Hoover. A new blizzard blocked highways. Silence veiled the progress of relief parties moving toward Sulpur and Twilight. Intense cold prevailed.

Aviator George Hight piloted a ski plane 75 miles through the blizzard

to bring Gus Anderson, of Capitol, Wyo., to a hospital at Belle Fourche. Abnormal cold settled down for another two-day stay in the north central states. Fresh snow—now a white plague—halted rail and automobile travel in the vicinity of Grand Forks, N. D. Drifts hampered travel in other portions of the northwest and midwest.

Cold records were shattered at several points. An all-time mark was broken at Watertown, S. D., when the 37th consecutive day of sub-zero weather was recorded. Fairmount, Minn., suffered the 31st successive day of temperatures that averaged -18. The 27th day in a row of sub-zero readings bested a mark established in 1888 at Lincoln, Neb.

Fuel shortages closed scores of schools.

Two pilots were missing. Clyde Lee, who took off from Pierre, S. D., Sunday afternoon to survey the blizzard-bound belt, was unreported. There was no word from Captain E. W. Stitt, who started for ice-locked Smith Island in Chesapeake bay Sunday. Fog shrouded the region.

FOOD SUPPLIES REACH SNOWBOUND VILLAGE

HATFIELD, Mo., Feb. 17.—(P)—The month-long imprisonment by snow of 200 villagers here ended tonight amid joyous shouts as five horse-drawn sleds arrived with sorely needed food and fuel.

"They made it," exclaimed the townsmen when the teamsters appeared after struggling six miles through deep drifts.

Eagerly the villagers unloaded cans of kerosene to burn in stoves ordinarily used only for summer cooking. Coal gave out three weeks ago, the kerosene a little later. Other villagers snatched up sacks of flour, sugar, rice and beans to replenish larders that held only enough food for two or three more days at the most. Medical supplies also were brought in.

D. G. Laird, a resident, said three inches of snow fell in the last 24 hours and a strong wind had drifted it badly, again closing up a road between here and Allendale which had been partly opened Sunday.

"The livestock feed situation is serious," he said. "Most farmers have hay for their stock but that won't keep them alive and they can't get corn."

Neighbors shared their feed.

With coal and kerosene supplies exhausted, the villagers have been forced to cut down some shade trees for fuel. Pleas for aid were made by telephone.

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Furnishes Needed "Bulk" for Regular Habits

Your doctor will tell you that keeping healthy depends far more on proper diet than on drugs, that common constipation is usually due to insufficient "bulk" in meals, and that patent medicines give you only temporary relief.

Kellogg's ALL-BRAN supplies gently acting "bulk" which corrects the cause of common constipation. This "bulk" takes up moisture, forming a soft mass which helps to cleanse the system.

ALL-BRAN gives your body the regular internal exercise it needs to prevent sluggishness. ALL-BRAN also furnishes vitamin B and iron.

Studies on normal men and women have shown that this delicious cereal is perfectly satisfactory. Serve ALL-BRAN regularly for regularity, with milk or cream—or use in cooking.

Two tablespoons daily are usually sufficient. Consult your doctor if you do not gain relief this way. ALL-BRAN is much more effective than part-bran products. Get ALL-BRAN at your grocer's. Made by Kellogg in Battle Creek.

*Constipation due to insufficient "bulk."

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Write for Free sample carton of cigarettes to The Blosser Co., Dept. 19, Atlanta, Georgia.

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Instant Relief For Itching Toes

End the torture of Athlete's Foot this sure and easy way. Simply apply Tetterine to the raw, inflamed parts and get immediate relief. Tetterine stops the itch and kills the parasites that cause the trouble. Healing and soft new skin promptly result.

Proven best for over 50 years in treating Eczema, Ringworm, Tetter, Itch and similar skin diseases. Get Tetterine from any drug store today and try it. Money back if not satisfied.

Tetterine!

Dog Freed From Cast Of Ice In Frozen River

PITTSBURGH, Feb. 17.—(P)—A police dog's ride down the cold Monongahela river was as happy as a dog's ride in a cake of ice ended happily—and the tail wagged as cheerfully as ever.

R. H. Irwin, chief engineer at Lock No. 1, heard the dog howling as the big cake rushed down the ice-choked current. Other lockmen assisted Irwin in pulling the ice ashore.

Then they discovered the animal's hind quarters wedged in the cake. They carried ice and all inside and in a few hours thawed the dog out.

Irwin said he couldn't say how the dog had managed to stand the tortures of the terrifying journey but it could not have been very long or death would have come.

phone, the only means of communication available.

SIX PERSONS KILLED BY LEAKY GAS LINES

CHICAGO, Feb. 17.—(P)—Leaky gas mains, cracked by the severe cold, caused the deaths of six persons today, and brought the total from this cause of the last few days to 14.

Mr. and Mrs. Albert Jackson and two children were asphyxiated in their Sycamore (Ill.) home.

At Omaha, Neb., August Wahlstrom and his son, Clarence, died from the same cause. At Belleville, Ill., six persons were recovered from effects of inhaling the escaping illuminant, which has kept the entire city on guard the last two weeks. Two persons died from gas poisoning there.

Another leak in gas pipes—due to the contraction of the freezing ground—was blamed for the deaths of two men and women in an explosion that wrecked two homes in Detroit.

Two persons have died in Cincinnati from gas poisoning during the cold spell and a Blooming (Ill.) family last week escaped death when its dog, scenting the poisoned atmosphere, warned it to quick safety measures.

Seven persons were reported ill from gas in East St. Louis, Ill. A minor explosion occurred there when one man, trying to thaw a meter in his yard discovered a leak when his match ignited the escaping gas.

BLACKSHIRTS BOMBARD FLEEING ETHIOPIANS

Italian Planes Keep Up incessant Aerial Attack on Africans.

ROME, Feb. 17.—(P)—Marshal Pietro Badoglio reported to his government today that Ethiopia's "most warlike troops" had been repulsed in a smashing northern front offensive and 50,000 defending soldiers were fleeing under a heavy aerial bombardment.

The new onslaught climaxed a desperate Ethiopian counter-attack on the black shirt troops which during a five-day battle drove deep into new territory, captured Amba Aradam and took possession of water supplies and war materials.

The rest of Ras Mulazem's army is retreating to Fannana and Amba Alaji, which are being bombarded by our massed aviation without ceasing, the marshal's communique said.

"The enemy suffered heavy losses without scattering. The capture of Amba Aradam yielded large quantities of rifles, machine guns, ammunition and materials of all kinds. 'Wells, horses, provisions and six cannons were abandoned by the enemy in flight.'"

The Stefani (Italian) News Agency correspondent at Asmara, Eritrea, reported the fleeing Ethiopians had been sighted by an Italian plane which summoned other ships to the bombardment.

The Ethiopians attempted to fight back with machine guns but when their efforts of resistance failed, they fled in panic abandoning their guns, mules and food supplies. As fast as one of the bombing planes returned to its base for a new supply of explosives, another loaded plane took its place in the formation.

The news agency representative said Italians estimated 40 tons of explosive were consumed in the bombardment.

First reports of the new Italian victory brought a message of congratulations from Premier Mussolini to his commander in East Africa. News papers hailed the victory in extra editions featuring Marshal Badoglio's communique.

The vast advance, which started February 10, cost the Ethiopians 5,000 dead and 15,000 wounded, the fascist leaders claimed, while the Italians lost 500 dead and 1,000 wounded. The invading forces gained approximately 300 square miles of territory, the official reports declared, and brought the Italian front line 20 miles south of Makale.

Premier Mussolini ordered flags throughout the entire country tomorrow in celebration of the capture of Amba Aradam.

FARM BILL AMENDMENT SOUGHT BY WHEELER

WASHINGTON, Feb. 17.—When the Smith farm bill is brought up in the house tomorrow or Wednesday, Representative Frank Wheeler, of Georgia, will introduce an amendment which will include tenants and croppers as beneficiaries of the act. The Smith bill passed the senate last week by a vote of 98 to 20.

The Wheeler amendment also will provide that in determining apportionment, or amount, of any payment or grant with respect to any land used for soil conservation purposes, the secretary of agriculture will take into consideration the contribution in services of tenants and croppers as any of income sustained by tenants and croppers by reason of changes in the farming practices adopted during such years.

The amendment is substantially the same as one sponsored by Senator Richard B. Russell Jr., when the bill was before the upper chamber. The senate refused to accept it.

The house committee on military affairs today had under consideration a bill introduced by Representative Wheeler, which would authorize the manufacture of fertilizer by the government at Muscle Shoals.

The Georgian believes, that if enacted, his measure will be of material help to the farmers of his and other states, because the government owned property in Alabama can make fertilizer an important ingredient of fertilizer for a figure that will be within the reach of all tillers of the soil.

The bill provides that fertilizer manufactured at Muscle Shoals be sold to the farmer at actual cost of production and that the fertilizer be distributed in such form as to make it immediately available for use by farmers in application to the soil and crops.

U. S. Camp Quarantined.

MEMPHIS, Tenn., Feb. 17.—(P)—A ten-day quarantine on Park Field camp of the resettlement administration was declared today following discovery of meningitis among the 300 men at the camp near here.

WAR PROBE REVEALS GUN RUNNING, PROFITS

Munition Quiz Bares Sale of Arms to Rebels in Brazil.

WASHINGTON, Feb. 17.—(P)—An intriguing tale of assumed names and quiet profits to agents of a million-dollar gun-running ring supplying Brazilian revolutionaries with implements of battle was written today upon the record of the senate munitions committee.

Approaching the end of its long investigation the committee produced evidence that representatives of the syndicate persuaded at least two selling companies to bill them for more than was actually due and then rebate the difference.

"It looks like graft to me," observed Donald E. Wemple, committee investigator, who conducted the examination.

The voluminous testimony dealt principally with the efforts of the gun-running ring to promote the Brazilian revolution of 1932. The group was formed, according to evidence, with the active participation of a noted army flyer.

Lieutenant Leigh Wade, a pilot on the army's famous round-the-world flight, now in South America despite a committee subpoena, was reported in testimony to have selected material purchased by the syndicate.

Equipped with a \$1,155,000 account in the Guaranty Trust Company in New York, the origin of which he said he had "no idea," W. P. Brown, of Byington & Co., New York, and Rio de Janeiro, was listed as having made all the payments. He knew neither the purpose nor the result of the revolt, he told the committee.

A. J. Byington Jr., he said, called him by telephone from Argentina and asked if he was willing to help in the Brazilian affair.

"I asked him which side he was on and he said the revolutionists," Brown continued. "I decided to work with him."

Wemple produced a sheaf of documents from the files of the Guaranty Trust Company covering the correspondence involved. They showed deposits over a period of two months ranging in size from \$35,000 to several hundred thousand dollars.

"The Guaranty Trust people must have known that it was all about when this money was being sent to them," put in Stephen Hausenbush, chief committee investigator.

"I couldn't say," Brown replied. "Any reasonable man would know what the money was being used for," Hausenbush said, "the Guaranty knew it was helping to finance a revolution. Wouldn't you say so?"

"Oh, I suppose so."

PROSECUTOR ATTACKS BLUMENFELD ALIBI

MINNEAPOLIS, Feb. 17.—(P)—Fred Pike, chief prosecutor in the trial of Isadore Blumenfeld (Kid Cann) for the slaying of publisher Walter Liggett, censured police activity in the case and assailed the defendant's alibi claim in his final argument today.

Plans of Judge Arthur Selover to give the jurors his instructions in the trial of Isadore Blumenfeld (Kid Cann) for the slaying of publisher Walter Liggett, censured police activity in the case and assailed the defendant's alibi claim in his final argument today.

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M'MULLEN TRIAL OPENS IN CAPITAL

Army Officer Charged With Accepting Remuneration for Advice During Duty.

WASHINGTON, Feb. 17.—(P)—Prosecution details of a proposed transaction in woolen underwear today led off the military court-martial of Colonel Joseph I. McMullen, charged with having "dishonored" the service.

The first open court-martial to be held since the trial of General "Billy" Mitchell a decade ago was devoted today chiefly to a resume by Harry H. Woodring, assistant secretary of war, of the proposed exchange of 700,000 suits of underwear for other "surplus" army supplies.

McMullen, who acted as legal advisor to Woodring during the negotiations, is charged with having accepted two round-trip Washington-San Francisco railroad and Pullman tickets from Joseph Silverman Jr., who controlled the private companies interested.

Frederick H. Payne, former assistant secretary of war, is scheduled to be called as a witness at tomorrow's session.

McMullen, in uniform, sat before a court of high-ranking brother officers headed by Major General Upton Birnie Jr., all in full uniform and with their swords laid on the paper-covered table before them.

Lieutenant Colonel Charles W. Thomas Jr., trial judge advocate, and Major James E. Morrisette, assistant trial judge advocate, compose the prosecution and two army and five civilian attorneys represent McMullen.

GOVERNORS INVITED TO TOBACCO PARLEY

WASHINGTON, Feb. 17.—(P)—Governors of six other tobacco growing states were invited today to send representatives to Washington tomorrow to discuss with a legislative group from Virginia and Agriculture Department experts details of a tobacco crop control substitute for the outlawed A.A.A.

Invitations were sent, at the behest of Governor George C. Perry, of Virginia, to Kentucky, Tennessee, North Carolina, South Carolina, Georgia and Florida.

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5 MEXICANS KILLED**IN LABOR TROUBLES**

MEXICO CITY, Feb. 17.—(P)—The Pacific coast port of Mazatlan was placed under military control to-

day after a clash between police and strikers in which five persons were killed, the latest outbreak in Mexico's unsettled capital-labor crisis.

Police fired on strikers when they attempted to attack a group of strike-breakers going to work in a Mazatlan slaughter house. Five strikers were killed and five wounded.

MRS. FLECK SERVICES WILL BE HELD TODAY

Final rites for Mrs. Libbie Dougherty Fleck, 50, who died Monday at her home, 1278 Stillwood drive, will be held at 11:30 o'clock this morning at Spring Hill, with the Rev. Ellis A. Fuller officiating. The body will be taken to Nashville, Tenn., for burial in the Mount Olivet cemetery. Burial services will be held at 10:30 o'clock tomorrow morning in the Dorris chapel of the cemetery.

NUDIST SHIP AGROUND; VOYAGERS GET ASHORE

BOCA GRANDE, Fla., Feb. 17.—(P)—The unlucky little "nudeist" schooner Fleetwood, outward bound from Tampa in search of a West Indian Utopia, has again encountered misfortune.

MISSISSIPPI COURT UPHOLDS SALES TAX

JACKSON, Miss., Feb. 17.—(P)—The Mississippi supreme court today upheld constitutionality of the 2 per cent retail sales tax, affirming a recent decision of the court and sustaining the Hinds chancery court's action in overruling a demurrer in the case of the Notgrass Drug Company, of Jackson, against the state.

FRENCH SLAYER OF 5 DIES ON GUILLOTINE

DRAGUIGNAN, France, Feb. 17.—Joseph Sasia, who was condemned to death November 6 for killing five shepherds and robbing them of a small amount of money, died at dawn today on the guillotine.

Roosevelt Campaign Manager and Office Assistants

Campaign Manager Marion H. Allen, of Milledgeville, is shown conferring with his office assistants as he opened headquarters in the Henry Grady hotel here yesterday. Standing behind the campaign director are Mrs. Mary Murphy, Mrs. Sarah Orr Williams and Mrs. Mae Jowers. Staff photo by Kenneth Rogers.

CIVIC LEAGUE MEETS TO SELECT OFFICERS

Tenth Ward Civic League met last night at Capitol View Masonic Temple for election of officers and to hear

addresses by candidates for county offices or their representatives. New officers named for the year were Ernest Brewer, president; C. E. Davenport, vice president; Joe L. Richardson, secretary, and W. M. Aycock, treasurer.

TALMADGE TERMED BEHIND THE TIMES**Congressman Mead, of New York, Declares TVA Decision Encouraging.**

Characterizing Governor Talmadge as "a man 20 years behind the needs of his day," James A. Mead, United States congressman from New York, predicted here last night the overwhelming victory of President Roosevelt in November.

Praising the supreme court's action yesterday on the TVA suit, Congressman Mead declared the decision was "very encouraging, to say the least," to the Roosevelt forces.

He is in Atlanta for a conference with local postoffice workers and officials. He is the author of a bill recently passed by congress which reduced the number of working hours per week of postal employees to 40.

Making a tour of the south with William M. Collins, president of the National Railway Mail Association, he has addressed postal gatherings in Richmond, Va.; Charlotte, N. C., and Atlanta.

Congressman Mead declared that Governor Talmadge is an outstanding example of the old reactionary forces who will not adjust themselves to the industrialized machine age of today.

"Talmadge merely emphasizes the need of the country for a President Roosevelt," Mead said. "If America is to depend on such leadership as that of your Governor, then I fear for the well-being of the workers of this country."

Held in Slaying Attempt.

NEW ORLEANS, Feb. 17.—(P)—S. D. Sawaya, 32-year-old tinsmith, was booked at the fourth precinct police station today on a charge of cutting and wounding his wife with a hatchet in an alleged attempt on her life. Mrs. Sawaya suffered from eight deep wounds inflicted with the sharp edge of the weapon.



SIMPLE SIMON
MEET FRIENDLY
AND ORDERED THREE OR FOUR;
HE NOW EATS TUMS
WHEN HEARTBURN COMES...
DON'T SUFFER ANY MORE!

Stop SAYING "NO" TO FAVORITE FOODS

It isn't only pie that disagrees with some people. Many say that even milk gives them a gassy stomach. The very best foods may bring on acid indigestion, sour stomach, gas, heartburn. Millions have found that Tums quickly relieve acid indigestion. Munch 3 or 4 after meals or whenever smoking, hasty eating, last night's party, or some other cause brings on acid indigestion. Tums contain no harsh alkalies, which physicians have said may increase the tendency toward acid indigestion. Instead an antacid which neutralizes stomach acid, but never over-alkalizes the stomach or blood. You'll like their minty taste. Only 10c.

**Immediate Relief for Burns**

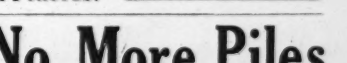
It seems almost miraculous the way Resinol Ointment takes the soreness out of an ordinary burn or scald, soothes the pain and helps to heal the injured parts. Apply it at once, freely, but with a light touch. Cover with soft cloth and the Resinol medication will give amazing relief. Buy a jar of Resinol Ointment from any drugist. For free sample write Resinol, Dept. 77, Baltimore, Md.

A Baby For You?

If you are denied the blessing of a baby all your own and yearn for a baby's arms and a baby's smile do not give up hope. Just write in confidence to Mrs. Mildred Owens, Dept. P, 615 Hagan Bldg., Kansas City, Mo., and she will tell you about a simple home method that helped her after being denied 15 yrs. Many others say this had helped bless their lives. Write now and try for this wonderful happiness.—(adv.)

Eases Muscle Pain!

Penorub is the ideal muscle massage. It stimulates blood flow to break up congestion, eases stiff joints and puts vim into muscles. Penetrates to bring 10-second relief from muscular pain. Buy Penorub today from your drugist. 1 oz. bottle 35c; 3 oz. 60c; 8 oz. \$1.16 or \$1.75. It's always economy to buy largesizes of Penorub.

**No More Piles**

Doctor's Prescription Guaranteed
Thousands of Pile sufferers do not know that the cause of Piles is internal—bad circulation of blood in the lower bowel.
This is the scientific truth about Piles—the real reason why salves and suppositories do not give lasting relief, why cutting does not remove the cause.
Your itching, bleeding or protruding Piles will only go on when you actually remove the cause. External treatments can't do this—an internal medicine should be used. HEM-ROID, the prescription of Dr. J. S. Leonard, sold by good druggists everywhere, succeeds because it stimulates the circulation, drives out congested blood, heals and restores the affected parts.
So why waste time on external remedies or worry about an operation when Jacobs Drug Stores invite every Pile sufferer to try HEM-ROID with guarantee of money back if not joyfully satisfied with the help one bottle gives.—(adv.)

666 SALVE
for
COLDS
LIQUID TABLETS price
SALVE NOSE DROPS 5c, 10c, 25c

"Take three months to pay"—has become as popular as Hirsch Brothers' reputation for quality.

**Ready for Spring**

The price range is merely incidental, but the satisfaction of being correctly groomed at such moderate cost is a big factor with everyone.

\$27

\$32

\$37

\$42

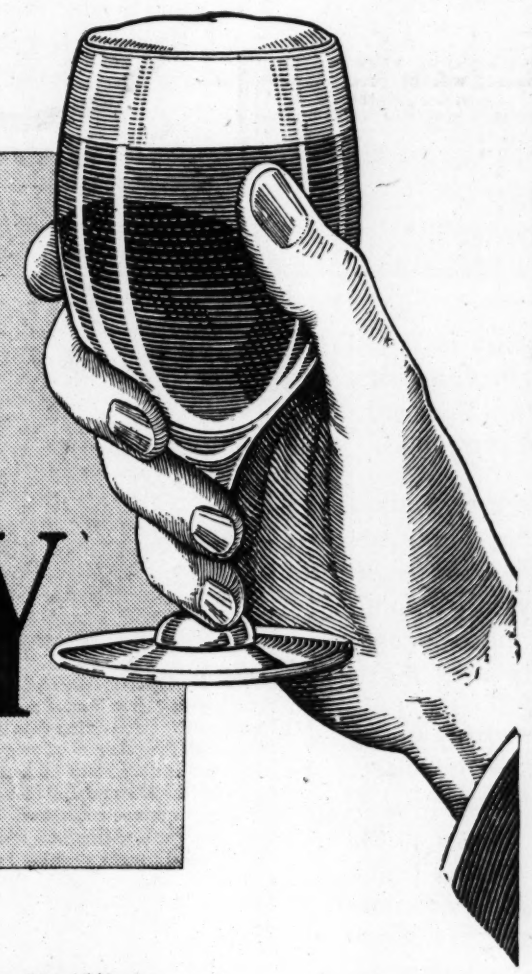
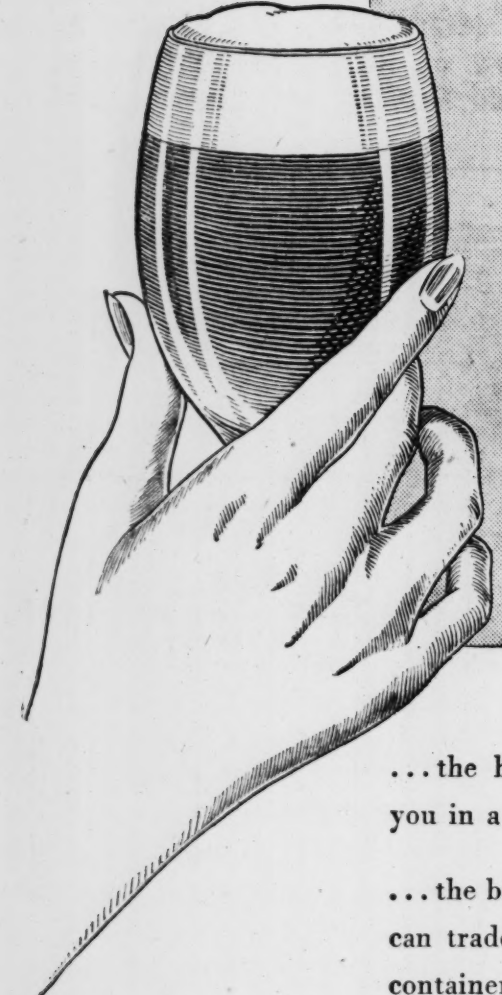
Then... "Take three months to pay" looms as another worthy feature for your consideration.

Hirsch Brothers
"Our Best Reference Is Public Preference"

79 Peachtree St.



It's a
BIRTHDAY



...the birthday of beer and ale brought to you in a new and better way!

...the birthday of the first can for beer—the can trade-marked "Keglined"—the new-day container that has been bringing you beer with real brewery flavor!

A year ago, "Keglined" made its first appearance. In a few months, thousands were drinking beer this new way, liking it, and telling other thousands about it. Today—"Keglined" is going into homes and hotels and restaurants by the tens of millions every month.

America has always liked good beer—its clean, tangy taste—its friendly companion-

ship—its gentle relaxation. "Keglined" protects the good things in beer, brings beer with its brewery flavor sealed in. When you buy your beer this new way, get the special opener which your dealer will gladly give you.

Each Tuesday night, N. B. C. WJZ Network
BEN BERNIE "and all the lads".

Look for the word



on the side of every can of beer you buy

AMERICAN CAN COMPANY
WORLD'S LARGEST MAKERS OF TIN CONTAINERS

MRS. ANNA BALLENGER PASSES AT AGE OF 80

Dies at Residence; Funeral Services Will Be Held This Afternoon.

Mrs. Anna Garrison Ballenger, 80, widely known member of the Baptist church in Atlanta for many years, died early yesterday morning at her home, 60 Sixteenth street, N. E.

Mrs. Ballenger was born on a family plantation on the Pacolet river, in North Carolina, the daughter of John Garrison and Melissa Calvin Williams.

Following her graduation from the Female College at Spartanburg, S. C., she married Thomas Theodore Ballenger.

She is survived by three sons, Dr. Edgar Garrison Ballenger, of Atlanta; Claude W. Ballenger, of Tryon, N. C.; and Richard E. Ballenger, of Hickory, N. C.; one daughter, Mrs. Juliette Ballenger Moseley, of Atlanta, and eight grandchildren and four great-grandchildren.

Services will be held at 2 o'clock this afternoon at Spring Hill, with Dr. Ashby Jones and Dr. Ryland Knight officiating. Burial will be in West View cemetery.

Serving as pallbearers will be the following friends: Dr. Omar Elder, Dr. Harold McDonald, Dr. Lelley Childs, R. G. Dunwoody, John H. Barnett and C. M. Foster.

Honorary pallbearers will be George Westmoreland, George M. Brown, Hugh Willet, M. L. Lively, J. M. Clayton, Charles Davis, Robert H. Martin and Marcus Emmert.



O. SAGLOW
**MEN WHO VALUE TIME
VALUE THE TAFT**

The Taft saves your time and money. At this great modern hotel you're in the very heart of New York's activities.

2000 ROOMS WITH BATH, FROM \$2.50
LESS BY WEEK OR MONTH

HOTEL ALFRED LEWIS, Mgr.

TAFT
NEW YORK

7th Ave., at 50th St.



Mrs. Stone
has changed to
**SUNSHINE
KRISPY
CRACKERS**

The VANDERBILT HOTEL
NEW YORK

The Vanderbilt reputation for excellence of accommodations, service and cuisine is constantly maintained. Equally convenient to the uptown or downtown business centers. Spacious, pleasant outside rooms from \$3 single to \$5 double.

Where Park Avenue Begins... at 34th Street.

DON'T ITCH AND SCRATCH

No need to endure the irritation of externally caused skin eruptions. Cuticura Ointment applied to irritated surfaces cuts suffering short—helps soothe, heal and bring astonishing comfort. Use together with pure, mildly medicated Cuticura Soap that soothes as well as cleanses. Never be without these products. Over a half-century world-wide success. Be sure you get Cuticura today. Sold everywhere. Ointment 25c. Soap 25c.

Real Relief with CUTICURA

Exact 5-grain dosage in each tablet

Laboratory tests and comparisons for scientific accuracy prove the fact that St. Joseph Aspirin is one of the few that brings you exact dosage, exactly 5 grains of aspirin in each tablet. Depend upon St. Joseph Genuine Pure Aspirin for prompt relief from pain and colds.

St. Joseph
GENUINE PURE ASPIRIN

Atlantans Giving Books To Aid Salvation Army

Many Atlantans are contributing old and rare books to aid in the campaign to establish a library at the Salvation Army Men's Home at 630 Spring street, N. W., Brigadier W. H. Range, who is in charge of the home, announced yesterday. The goal of the campaign is 1,000 volumes.

Among the latest contributions are the bound copies of a magazine of 1852, which contain Charles Dickens' novel, "Bleak House." The library also recently received two copies of Pinocchio's improved edition of Goldsmith's "History of England, printed in 1854, and the works of Hannah Moore, whose books were published in 1830.

Of the 638 volumes given recently to the home, approximately 250 are suitable for the library, officials said. Major Range asks anyone who will donate books to telephone Jackson 2224 so that officials may send a truck for the contribution.

STATE OF ALARM LAW IS INVOKED IN SPAIN

Situation Tense as Aftermath of General Election.

MADRID, Feb. 17.—(AP)—Tension mounted throughout Spain tonight as the nation awaited the outcome of a delicate situation created by what appeared to be, on the basis of incomplete and unofficial returns, a sweeping victory for the left in yesterday's general election.

A state of alarm was declared for a period of eight days as a precautionary measure and a press censorship established. Election disorders resulted in eight deaths and 19 seriously hurt. Scores received minor injuries.

Although the left tonight claimed it won an absolute majority in the new cortes with 264 of 473 seats, the right coalition conceded them only 208 places and declared the outcome of the elections would not be known until a second ballot March 1, when about 33 seats are to be decided.

Zamora in Hiding.
The family of President Niceto Alcala Zamora left their residence on Francisco Giner street and took refuge in the presidential palace, which is a veritable fortress.

A state of war was declared in Zaragoza and Seville, but the order was hurriedly revoked when leftists countered with threats of a revolutionary general strike.

A heavy guard was thrown about prisons, which held nearly 30,000 leftists in connection with the revolt October, 1934, after rumors were circulated that attempts would be made to free the prisoners. One prison was stormed.

Troops armed with machine guns were sent to Cartagena prison, where Luis Companys and Gonzalez Pena, two chieftains of the revolt who won seats in the new cortes yesterday, are confined.

Guard Is Killed.
One guard was killed and three were wounded when the prison of San Miguel de Los Reyes, Valencia, was stormed. Tear gas was used to drive back the extremists.

A strict censorship was placed on all press news. The "state of alarm" does not suspend civil processes but keeps police and military authorities on the alert.

A powerful strengthening of the Spanish republic against monarchists and those described as "lukewarm republicans" was seen as the chief probable result of the left triumph.

Political observers generally declared the victory was a republican rather than a socialist one, since most republicans on left bloc tickets hold more votes than their socialist co-runners.

2 Wounded in Fight.
McGEHEE, Ark., Feb. 17.—(AP)—E. E. Hopson, 52, attorney and prominent political figure in this section, and W. C. Leatherwood, railroad engineer, were shot and wounded during a scuffle on the street in the heart of the McGehee business district today.

KANSAS REPUBLICANS FAVOR LONDON IN POLL

Governor Shown as Outstanding Choice in Public Opinion Institute Vote.

A poll of Kansas republicans shows Governor Alf Landon their overwhelming choice for the G. O. P. presidential nomination, the Institute of Public Opinion reported yesterday to The Constitution and 60 other papers associated in publishing institute polls in 70 cities.

Landon polled 84 per cent of the votes cast, while Senator William E. Borah, of Idaho, trailed in distant second place with 9 per cent.

The vote of the five candidates receiving 1 per cent or more was as follows:

| Candidate | Per Cent |
|--------------------|----------|
| Governor Landon | 84 |
| Senator Borah | 9 |
| Herbert Hoover | 4 |
| Frank Knox | 2 |
| Senator Vandenberg | 1 |

The institute's poll of Kansas republicans is a fragment of a nationwide poll, the results of which will be made known in The Constitution Sunday. The completed poll will reveal the candidate most favored by the rank and file of republican voters throughout the United States, the positions of other leading candidates and what strength they possess in different sections of the country.

Special tabulations will reveal the opinion of young republicans, of persons who voted for Roosevelt in 1932 but who would vote for a republican today and of republicans in pivotal Ohio.

Like its other weekly polls, in which it customarily distributes between 100,000 and 200,000 ballots depending on the acuteness of the issue, the institute's poll on republican presidential candidates will speak for an exact cross-section of the voters. Not only does the institute obtain ballots from the right proportion of voters in each state, but it makes certain that farmers, city dwellers, persons on relief and voters who have come of age since 1932 cast their proportionate share of the whole vote.

Sunday's poll will be the second institute report on the standing of G. O. P. candidates. In a nationwide poll published December 1 the leading candidates ranked in the following order:

| | |
|-----------------------|-----|
| Governor Landon | 33% |
| Senator Borah | 26% |
| Herbert Hoover | 12% |
| Charles Roosevelt Jr. | 12% |
| Frank Knox | 8% |
| Ogden Mills | 5% |
| Senator Vandenberg | 5% |
| Senator Dickson | 1% |

**COLLEGE OBSERVES
70TH ANNIVERSARY**

Morehouse Alumni To Meet Tonight With Students and Faculty.

To celebrate the completion of 69 years of service to negro education, the alumni of Morehouse College will meet tonight with the student body, the faculty and friends of the college in Sale Hall chapel on the Morehouse campus at 8 o'clock for the annual alumni day exercises.

The speaker will be H. Council Trenholm, of the class of 1920, who since 1926 has been president of the Alabama State Teachers' College.

Tonight's exercises, which are open to the public, will be presided over by T. M. Alexander, of the class of 1931, insurance broker of Atlanta and former varsity debater. The speaker will be introduced by President S. H. Archer, of Morehouse College. Prayer will be offered by Dr. D. D. Crawford, secretary of the Georgia Baptist convention, who was one of the first graduates of the college, and Dr. E. R. Carter, pastor of the Friendship Baptist church, also an early graduate of Morehouse, will pronounce the benediction. The present generation of college students will be represented by Drew S. Davis, president of the student body, P. M. Davis, president of the Morehouse College Alumni Association, will make acknowledgment of Drew S. Davis, president of the student friends and alumni.

Music by the Morehouse College Glee Club and orchestra will be a feature of the program. The orchestra will be conducted by Professor Kemper Harrell.

Founder's day will be ushered in with an informal assembly of students and alumni in Sale Hall chapel at 9 o'clock this morning, at which President Trenholm will speak.

**HEARING ON MILL CASE
SET FOR FEBRUARY 27**

A hearing in the case of Alabama Mills, Inc., of Winfield, Ala., a textile plant charged with unfair labor practices, is set for February 27 at Jasper, Ala. Charles N. Feidelson, regional director of the National Relations Board, said yesterday.

Union No. 2031, United Textile Workers of America, charged the company discharged workers because of union affiliations. Paul A. Redmond, of Birmingham, is president of the company.

The Bemis Brothers Bag Company case is to be continued at Jackson, Tenn., on February 20, Feidelson said. The hearing was halted several weeks ago when the company sought a restraining order, which was denied by Judge John D. Martin, of Memphis.

The hearing in the Hardwick Stone Company, Cleveland, Tenn., has been postponed until March 2.

**VICTIMS OF AUTO CRASH
REPORTED RECOVERING**

Miss Jane Guinn, 22, of 314 Washington street, and C. A. Giles, 211 Washington street, injured Sunday when the car in which they were riding with John A. Peterson, stepson of Governor Talmadge, was wrecked in DeKalb county, were reported recovering today.

Peterson, driver of the car, was not hurt, police reported. He is employed by Commissioner Tom Linder in the State Department of Agriculture.

DeKalb county officers discovered several hundred copies of the Georgia Woman's World, a Peterson's wrecked machine, they said. The Georgia Woman's World is a small newspaper which devotes itself to attacking President Roosevelt and the New Deal.

Police said Peterson's car skidded wildly on the highway and into a ditch. Miss Guinn and Giles were treated at Grady hospital.

**HOLDEN WILL BE FIRED
WITH FULTON ORDINARY**

Will of Judge Frank Holden, widely known Georgia jurist who died recently, was filed yesterday in the office of the Fulton county ordinary, Thomas H. Jeffries.

The testament, dated January 2, 1935, left his unestimated estate to his wife and two sons, Frank and Howard Holden, both prominent Georgians. The sons were named as executors.

HIGH'S SELLS FOR LESS--- the Proof's in the Savings---Investigate!

EXPANSION Sale

Choose From 1,000 Pieces! Regularly 59c to \$1.00!

Easy
to buy with
"Letter of Credit"
• 5 Months to Pay
• Use as Cash in any department
• Apply Credit Office, Fourth Floor

**\$2.39-\$2.98
Values! Kid
Gloves
\$1.87**
Slipons in black, brown, black and white! Not all sizes in all styles—but a grand spring assortment!
HIGH'S STREET FLOOR

**\$1.59-\$1.98
Values! New
Neckwear
95c**
Creme, pique, silk, organdy and handmade pieces! Fresh and crisp—in white and pastels.
HIGH'S STREET FLOOR

**Formerly \$1.98
Women's Silk
Blouses
\$1.54**
They're new—solids and prints for spring. Short sleeved—50 new blouses to sell! Hurry!
HIGH'S STREET FLOOR

**59c-\$1 Value!
Silk-Nevelty
Laces
19c
Yd.**
Special lot of silk Chantilly bands, edgings and novelty bands! Out they go—and they're your savings!
HIGH'S STREET FLOOR

**J. & P. Coats'
New Yarn
"Crepe de Sheen"
25c**
A rayon and worsted twist that is NEW for spring and summer! 100-yard balls.
YARNS—STREET FLOOR

**3 in a Box!
Men's Initial
Handkerchiefs
39c
Box**
Fine quality linen—with his own initial on each kerchief. 50c value! Take them away—3 in box—for 39c.
HIGH'S STREET FLOOR



**Gift Values
25c each**

Buy these—even if you don't need them now—
Grand for Bridge Prizes! Gifts! For Yourself!

Bought before we planned our expansion—they must be moved to save rearranging our stock! Come and get them—for yourself—for bridge prizes—for gifts! Hundreds and hundreds of charming pieces in an array of new ideas! Useful—practical—and PRICED so LOW—they'll simply speed out! Be here at 9 A. M. Sharp!

NOTIONS... HIGH'S STREET FLOOR

**"Gold Seal"
Reg. \$9.98
Rugs
\$6.97**
All Perfect Patterns!
Size 9x12 Feet!
Yest Genuine "Gold Seal" Congoleum rugs—and only because we're moving stocks—you get the savings of \$3.01 on them! Sanitary, waterproof—guaranteed to wear! Colors for every room!
RUGS... STREET FLOOR

Don't Wait—These'll Hurry Out!
**Girls' \$1.19 Spring
Wash
Frocks
\$1.00**
"Love" and "Cinderella" makes—sheers, hanky lawns, dimities! 80-square prints! Solid broadcloths! Fast colors—in darling styles for sizes 8 to 16.
Girls' \$2.98 Raincoat Sets
Waterproof coat—with matching cap! "Shirley Temple" models included. Sizes 3 to 6, 7 to 12 and 12 to 16. Set \$2.00
HIGH'S THIRD FLOOR

We Need Their Space—Buy 'Em on Main Floor
Sale! Rayon Undies
Lace-trimmed—non-run fabric undies! Slick little tailored styles in satin-striped rayons! Stepins, briefs, panties and shorts—made to a queen's taste. Sizes 4 to 8. Priced to give your summer budget a boost!
HIGH'S STREET FLOOR

**\$1 Values!
Philippine
Gowns
76c**
Dainty hand-embroidered and scalloped—white, pink. Cut full and long—grand for summer wear. Women's sizes.
**\$1.19 Broadcloth
2-Pc. Pajamas
\$1**
Solids, prints! Solids and checks for trims! Fitted, with cloth buttons. Swanky styles for sleeping or lounging. Sizes 15, 16, 17.
HIGH'S THIRD FLOOR

**Oh! Oh! Get New
Japanese Embroidered
Panne Satin
Pajamas
Coolie Coats
\$1.00 Each**
Just out of their tissue wrappings—Ideal for lounging, travel or sleeping. Brilliant colors—elaborately embroidered! Washable! Sizes small, medium and large.
HIGH'S THIRD FLOOR

JAPAN WARNS PRESS ON RUSSIAN SITUATION

Discussion of Issue Curbed; Soviet To Close Consulates in Manchoukuo.

TOKYO, Feb. 17.—(P)—Staff officers conferred with the Japanese minister of war today on the delicate Russian situation after restrictions were placed on newspaper discussions of the issue.

A spokesman for the foreign office said reports from Hsinking, capital of the Japanese-occupied state of Manchoukuo, indicated Russia is withdrawing all her consulates from Manchoukuo except the consulate-general at Harbin.

Japanese officials said they believed the withdrawals had no connection with recent border fighting between Outer Mongolian and Manchoukuo troops and could not be interpreted as a preparation for war.

The Japanese government forbade newspapers to print anything on the issue except official communiques of this and the Manchoukuo governments.

This move was attributed to a wish to avoid inflaming public opinion during official conferences here to prevent the border dispute from leading to war.

Meanwhile, the war and foreign offices agreed to turn down a Soviet proposal that neutrals serve on a joint commission to be created in an effort to solve the border conflicts.

(A Moscow dispatch said Soviet officials contend that a limiting of the commission to Japanese, Manchoukuo and Russian delegates would give Japan a two to one vote, but no official stand has yet been adopted.)

AN EASY WAY TO LOSE FAT

Without diet, without exercise, without drastic purgatives that drain the system. Thousands who have reduced the Marmola way might well tell you to take 4 of these tablets a day, containing a simple corrective for abnormal obesity prescribed by doctors the world over. Marmola is put up by one of the best known medical laboratories in America. Since 1907 men and women have purchased more than 20 million packages. Nothing succeeds like success. Start today! You will soon experience Marmola's benefits. When you have gone far enough, stop taking Marmola, and you will bless the day you first discovered this marvelous reducing agent. Marmola is on sale by all dealers, from coast to coast, price \$1.

MUSCULAR RHEUMATIC PAIN

IT takes more than "just a salve" to draw them out. It takes a "counter-irritant"! And that's what good old Musterole is—soothing, warming, penetrating and helpful in drawing out the local congestion and pain when rubbed on the sore, aching spots.

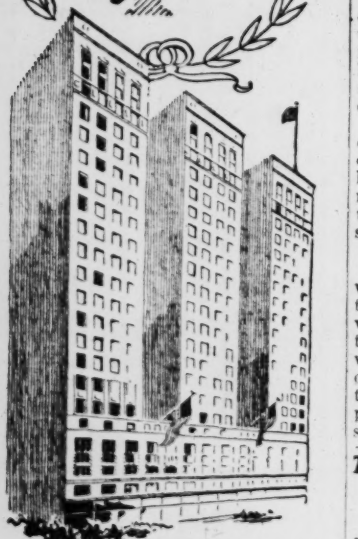
Muscular lumbago, soreness and stiffness generally yield promptly to this treatment, and with continued application, relief usually follows.

Even better results than the old-fashioned mustard plaster. Used by millions for 25 years. Recommended by many doctors and nurses. All druggists. In three strengths: Regular Strength, Children's (mild), and Extra Strong. Tested and approved by Good Housekeeping Bureau, No. 4867.

MUSTEROLE

BETTER THAN A MUSTARD PLASTER

Finest Food



● The cuisine at the Palmer House leaves nothing to be desired. The most critical guest finds satisfaction in the foods prepared by our skilled chefs and served in our six famous dining rooms.

SINGLE ROOMS FROM \$3
DOUBLE ROOMS FROM \$5

PALMER HOUSE

STATE STREET AT MONROE
CHICAGO

EDWARD T. LAWLESS, MGR.

Positive Relief For Itchy Skin

Soothing Blue Star Ointment melts on the skin, sending tested medicines deeply into pores to kill common itch, nettle rash, eczema, foot itch, ringworm, etc. Money back on first jar, if it fails to relieve.

Rep. Cox Upholds Supreme Court On NRA, AAA Cases; Hits Critics

Georgian's Attack Follows Senator George's Denunciation of Adversaries of Tribunal Defends Justices Against Usurpation, Abuse of Power Charges.

By GLADSTONE WILLIAMS. ASHINGTON, Feb. 17.—For the second time within three days—a Georgian—Representative Eugene Cox, of Camilla—came to the defense of the United States Supreme Court in a long and earnest legislative argument justifying the court in its recent decisions adversely affecting major New Deal legislation.

In the upper chamber last Saturday the senior Georgian senator, Walter F. George, took Majority Leader Robinson to task for severely criticizing the court in its findings in the AAA case.

Judge Cox, a member of the important rules committee, boldly charged that "unduly severe and largely unfounded" criticism had been brought down upon the court for its decisions in the NRA and AAA cases.

Defending the court's rulings in the two cases he warned members of the chamber in a 45-minute address that "we should not lose sight of the fact that ours is a dual form of government, that it is 48 sovereign states" forming a federal union which "is a government of delegated power."

Cites Marbury vs. Madison. Citing the celebrated case of Marbury vs. Madison, in which Chief Justice Marshall read the decision, and the equally famous decision of the highest tribunal in the Dred Scott case, he pointed to Section 1, Article 3, of the constitution to show that the judicial power of the United States is vested in one supreme court and in such inferior courts as the congress might from time to time ordain and establish.

"This language," declared Judge Cox, "is not dependent upon the rule of loose construction for meaning that acts of congress are subject to judicial review. To say that the judicial power shall be vested in certain courts is to say that no judicial power is vested in congress, except as may be specifically provided. While all three departments of the government are independent within their own sphere, acts of both the executive and legislative branches, when performed are subject to judicial review when the question of validity is raised, in a case involving the rights of parties."

Denying it was his intention to discuss the merits of the decisions of the court in the NRA and AAA cases, he emphasized that it was his purpose to defend the court against the charge of usurpation and abuse of power and to support as best he could the wisdom of the rule of judicial determination of the constitutionality of acts of congress.

Assumption Is Fair. "It seems fair to assume," Cox asserted, "that when the delegates to the constitutional convention entered upon the performance of their duties they did so, not only with the idea of preserving the rights of the states being uppermost in their minds, but also with the idea of the division of the powers of the government to be formed into three parts, co-ordinated but not mixed."

"It is not by me contended that a government which is absolute trinity in form was constructed or could have been constructed or if constructed, could be maintained. It is often impossible to draw a line of demarcation between legislative, executive and judicial functions. A power may partake of the nature of each and not be susceptible of division. Growth and developments produce complications that demand flexibility at times. However, this ideal was so closely approached by the framers of the constitution that it is substantially true to say that it was attained."

Contradicts Veto Contention. He contradicted the contention made in official and unofficial quarters during recent weeks that the supreme court hold a veto power over acts of congress and will not pass upon the constitutional validity of an act until the case presented required it.

"An act," he said, "may be contrary to common right and reason, and impossible of performance, still if it violates no provision of the constitution the court has no discretion but to let it stand."

It was at this point that he cited the case of Marbury vs. Madison, in which Chief Justice Marshall said: "It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rules to particular cases must, of necessity, expound and interpret that rule. If two laws conflict with each other the courts must decide on the operation of each. So if a law be in opposition to the constitution, if both the law and the constitution apply to a particular case, so that the court must either decide that conformable to the law, disregarding the constitution, or conformable to the constitution, the court must determine which of the conflicting rules governs the case. This is the very essence of judicial duty. If then, the courts are to regard the constitution and the constitution is superior to any ordinary act of the legislature, the constitution and not such ordinary act must govern the case to which both apply."

Those, then, who convert the principle that the constitution is to be considered in court, as a paramount law, are reduced to the necessity of maintaining that courts must close their eyes on the constitution, and see only the law.

Doctrine Subverts Foundation. This doctrine would subvert the very foundation of all written constitutions. It would declare that an act, which, according to the principles and theory of our government, is entirely void, is yet, in practice, completely obligatory. It would declare that if the legislature shall do what is expressly forbidden, such act, notwithstanding the express prohibition, is in fact law.

THREE MEN INJURED WHEN AUTO HITS CAR

Three men were slightly injured yesterday afternoon when the automobile in which they were riding crashed into the rear end of a street car at Marietta and Ashby streets.

T. A. Martin, who gave his address as 1761 Ponce de Leon avenue, who police said was driver of the car, was arrested on charges of being drunk, reckless driving, and disorderly conduct. The occupants of his machine, Jackson Robertson, of 1288 Durand drive, and L. G. Dunn, of a Lucille avenue address, were slightly hurt and all three were treated at Georgia Baptist hospital.

An ambulance driver applied a tourniquet to Robertson's arm to stop the flow of blood from a severed artery.

DR. GOSNELL TO HEAD SOCIAL SCIENCE FORUM

Dr. Cullen B. Gosnell, head of the Emory University Institute of Citizenship, is temporary chairman of the Georgia Academy of Social Sciences, forum recently organized for a study of economic, political and social topics. Dr. Gosnell is also chairman of the temporary constitution and by-laws committee. Other members of that committee include Dr. R. R. Eleazer, R. L. Ramsey, Dr. Comer Woodward, Sam Osmer, C. M. Snyder, Glen Rainer and Miss Josephine Wilkins, president of the Georgia League of Women Voters. The committee will meet March 2.

RELATIONSHIP OF TECH, CONSTITUTION IS CITED

School Born in Newspaper Office, Official Reveals in Radio Interview.

Interviewed last night on Georgia Tech's weekly radio presentation over Station WGST, N. S. Noble, managing editor of The Constitution, told of the close relationship between the school and the paper and of the growth of both that has given them national and world-wide recognition.

The Georgia School of Technology was born in The Constitution office. Mr. Noble said, when a meeting was held in the newspaper office in 1882 to discuss the need of a technological school for the city and the south. Five years later, when The Constitution was but 19 years old, Georgia

selected The Constitution for the most noteworthy award in American journalism, the Pulitzer gold medal for the most meritorious service rendered during the preceding year by any American newspaper.

The award, it was remembered, came as the result of The Constitution's fight against graft in the municipal government, a fight which resulted in a thorough housecleaning of Atlanta, placing the government of the city on a higher plane.

Mr. Noble paid high tribute to Georgia Tech, stressing its high scholastic standing in this country and abroad.

The newspaperman pointed out the aggressive part played by The Constitution during the 68 years of its existence for the growth and betterment of the city and of the south. He described the unwavering, strong editorial policy of the paper, which was climaxed in 1931 when the board of trustees of Columbia University

became a thing of reality as an outgrowth of the meeting.

Mr. Noble was interviewed by Allen Morris, editor of the Technique, publication of the school. The weekly programs, at 9:15 o'clock each Monday night, are arranged by Professor C. D. Gibson, of Georgia Tech. They are devoted to a particular phase of commerce, industry or business each month, with newspaper work holding the spotlight this month.

The growth of The Constitution and its dominant position in the newspaper field was reviewed by Mr. Noble, who pointed out the manner in which it grew from a "small" newspaper with a circulation of 10,500 in 1901, when Clark Howell Sr. first became editor, to the south's leading newspaper with a daily average circulation of more than 102,000, the largest ever recorded in Georgia.

PUERTO RICO TO SEEK STATEHOOD FOR ISLE

SAN JUAN, Puerto Rico, Feb. 17. (P)—After pledging six votes to President Roosevelt, Puerto Rican democrats last night voted to work for statehood for the island. Their goal is a continuance of the statehood plank in the platform they adopted in 1932.

MRS. STRAUS SERVICES WILL BE HELD TODAY

Final rites for Mrs. Sarah Straus, 86, who died Sunday night in a private hospital, will be held at 10:30 o'clock this morning at the chapel of Sam R. Greenberg & Company, with Dr. David Marx officiating. Burial will be in Crown Hill cemetery.

Mrs. Straus was a native of New Jersey and formerly lived at Columbus. She had made her home in Atlanta since 1920 and was living with her daughter, Mrs. Charles Adler, of 100 Seventh street, N. E., at the time of her death.

Surviving are another daughter, Mrs. Florence Stone, of New York; a son, Mose Straus, and two granddaughters, Mrs. Claire Goldberg, of New York, and Mrs. Meyer Collat, of Savannah.

CAPTAIN G. E. FRENCH TO BE BURIED TODAY

Military honors will mark the final rites for Captain George Edgar French, 77, retired United States army officer, who died Saturday at his home, 1302 West Peachtree street, in services at 10 o'clock this morning at Spring Hill.

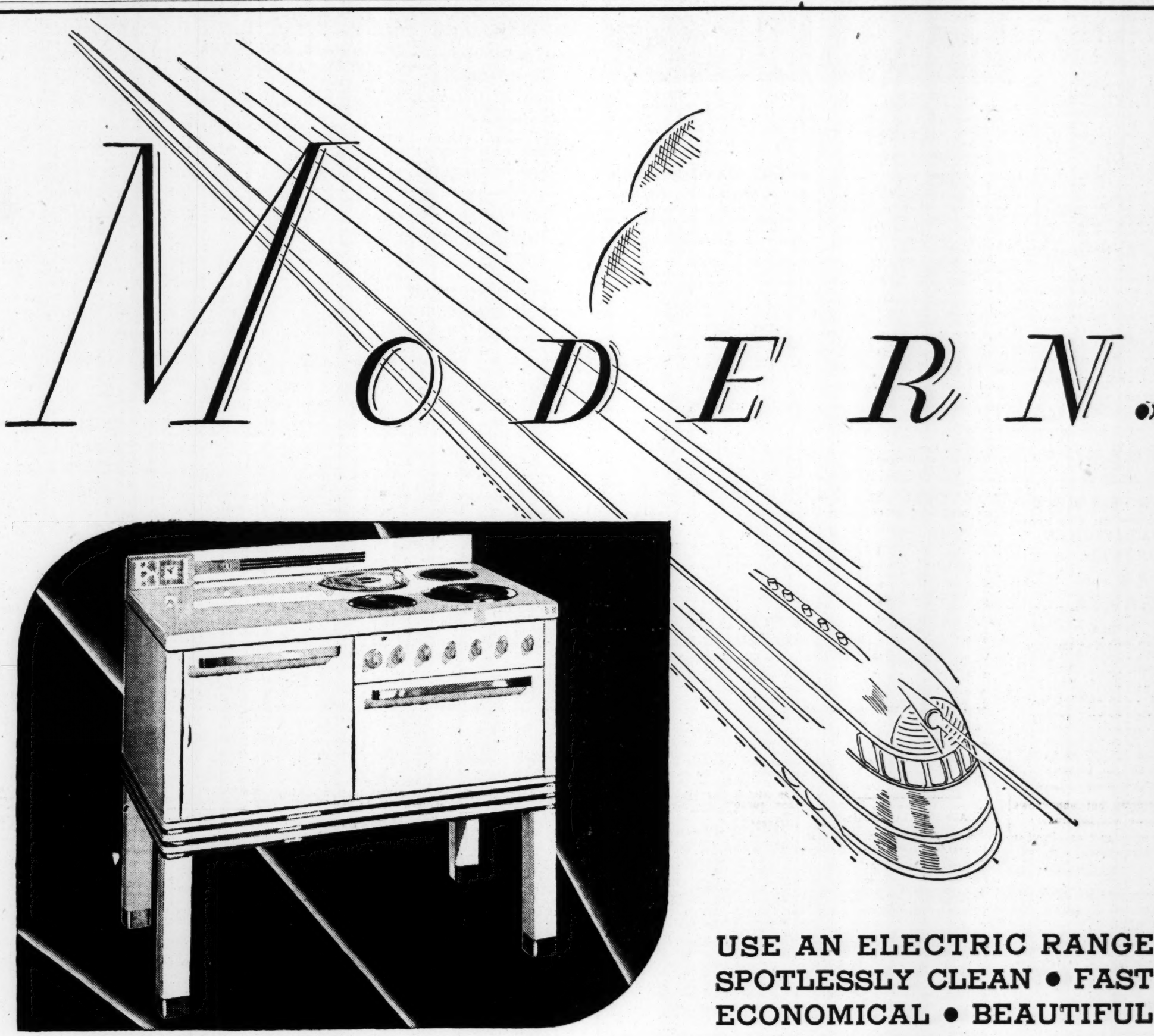
Lieutenant Colonel Chaplain Orville E. Fischer, of Fort McPherson, will officiate. Burial will be in a private cemetery, with officers from Fort McPherson serving as pallbearers.

Captain French formerly was stationed at Fort McPherson and has made his home here for the past 20 years. He was a member of a prominent Boston family and was a veteran of the Spanish-American War. He was a member of the Order of a Foreign Wars, the Pennsylvania Commandery and the New York Athletic Club.

3 KILLED, 1 INJURED IN RAILROAD CRASH

JORDAN, Minn., Feb. 17.—(P)—Three engine crew members were killed and one injured when a freight train on the Chicago, St. Paul, Minneapolis and Omaha railroad crashed into the rear of a stalled freight early today.

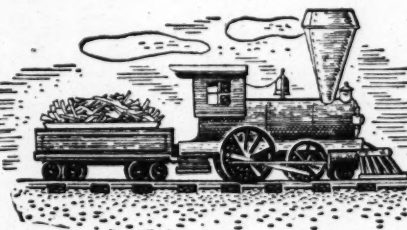
The dead were Albert Holly, about 35, the engineer and two other trainmen not immediately identified.



USE AN ELECTRIC RANGE
SPOTLESSLY CLEAN • FAST
ECONOMICAL • BEAUTIFUL

WHEN the Electric Range was born, even with its old-day imperfections, it was years ahead of all other cooking methods known. This breach has been widened year by year as mechanical perfection has added to its NATURAL superiorities. Today, it stands secure in its place as the finest way to cook foods the world knows. The advantages are many and far-reaching.

- The Electric Range answers the call for Health Cookery. Flameless electric heat, accurately controlled, cooks with little or no water. Meats and vegetables are cooked in their own delicious juices---their natural flavors, vitamins and minerals are sealed in, not boiled away. Spotless. Kitchen walls and curtains do not become covered with 'smudge'.
- The Electric Range soils lessly clean, the Electric Range soils do not become covered with 'smudge'.
- The modern high speed heating units, utilizing the speed of electricity, cook faster than any fuel. For this advantage there is no penalty. The cost of operation is no greater than that of even the crudest method.
- Styled for today and tomorrow the modern Electric Range meets everything you could ask for. YOU are modern! Show your appreciation for the finer things in life by choosing an Electric Range!



GEORGIA POWER COMPANY

30 CANDIDATES SEEK 10 OFFICES IN CARROLL

Much Interest Centers in
Primary in Butts County
March 27.

CARROLLTON, Ga., Feb. 17.—(AP)—Thirty candidates are seeking nomination to 10 offices in the Carroll county democratic primary Wednesday. A runoff is to be held February 26, if necessary.

The candidates are:
For ordinary, M. E. Griffin, incumbent; for road commissioner, J. L. Yeal, incumbent; for judge of city court, H. H. Gibson and O. S. Miller, for clerk of superior court, T. J. H. Robinson, incumbent; A. W. Alexander, Jack Brock, Ben L. Burns, M. W. Lovorn; for sheriff, J. L. Webb, incumbent; B. B. Kilgore, Frank J. Searcy.

For tax commissioner, J. H. Burton, incumbent; for judge of city court, V. B. Teney, for judge of city court, Jess J. Reese, incumbent; Raymond Robinson and Emmett Smith; for solicitor city court, J. Harvey Ball, Sam J. Boykin, Leon Hood, Robert D. Tisinger, for school superintendent, V. D. Whitley, incumbent; George W. Camp, J. H. McGibson, Noah H. Reid, for collector, G. D. Head, incumbent, ordinary, J. C. Newton, incumbent, and W. L. White, treasurer.

BUTTS DATE SET

JACKSON, Ga., Feb. 17.—With 19 candidates already in the field and others mentioned, the local campaign is arousing considerable interest.

Children Readily Take Syrup of Black-Draught

When a child is sick, or upset by constipation, it is no longer necessary to irritate the little sufferer by giving a bad-tasting medicine. Keep on hand a bottle of modern, refined Syrup of Black-Draught. It is easily given to children. Made of official U. S. pharmacopoeia senna and rhubarb, with cinnamon, cloves and sugar syrup to make it pleasant-tasting. Sold in 5-ounce, 50-cent bottles.—(adv.)

LOW COACH FARES

AIR-CONDITIONED
COACHES

One Way from
ATLANTA

| | |
|--------------------|---------|
| ATHENS | \$1.10 |
| BALTIMORE | \$1.10 |
| BIRMINGHAM | \$2.51 |
| MEMPHIS | \$6.31 |
| NEW YORK | \$17.72 |
| NORFOLK | \$8.96 |
| RALEIGH | \$6.33 |
| RICHMOND | \$8.15 |
| WASHINGTON | \$9.58 |
| PHILADELPHIA | \$14.48 |

Similar low fares to all other points
Also low round-trip fares, good for 15 days and 6 months. Breakfast 35c; Lunch 50c; Dinner 50c—served on tray in Seaboard coaches.

For further information consult

CITY TICKET OFFICE
62 Luckie St. Walnut 5018-7322
Atlanta, Ga.

H. E. PLEASANT, A. G. P. A.
1202-22 Marietta St. Bldg.
Telephone Walnut 2708

SEABOARD AIR LINE RAILWAY

The only completely air-conditioned train in the South.

Incumbents Re-elected in Douglas County



Two officers who won over stiff opposition in the primary held in Douglas county recently are shown above. On left is Thad McKoy, who was re-elected clerk of court by a substantial majority, and on right is Sheriff Mac C. Abercrombie, who was re-elected by a 2-to-1 vote over his opponent. McKoy picture by Little; Abercrombie's by Davidson-Paxon studio.

Incumbents were re-elected in Douglas county recently are shown above. On left is Thad McKoy, who was re-elected clerk of court by a substantial majority, and on right is Sheriff Mac C. Abercrombie, who was re-elected by a 2-to-1 vote over his opponent. McKoy picture by Little; Abercrombie's by Davidson-Paxon studio.

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ON THE RADIO WAVES TODAY

| 405.9 Meters | 740 Kilocycles | 936.9 Meters | 890 Kilocycles |
|--|--|-----------------|-------------------|
| 6:25 A. M.—Another Day. 6:30—Morning Merry-Go-Round. 7:00—Morning Devotions, NBC. 7:15—News. 7:30—Chatter, talk and music, NBC. 8:00—Dance orchestra, NBC. 8:30—Breakfast Club, NBC. 9:00—Press-Radio News, NBC. 9:30—The Musical Sundial. 9:45—The Gospel Singer, NBC. 9:50—Willie Kalamia's Hawaiians. 10:00—News. 10:30—United States Marine band, NBC. 11:00—Monticello Party Line. 11:45—Globe Trio, NBC. 11:50—Farm and Home hour, NBC. 12:30 P. M.—News. 12:45—Rochester Civic orchestra, NBC. 1:15—Words and Music, NBC. 1:30—Cross Roads Folio. 2:00—Nellie Howell, NBC. 2:15—Musical program, NBC. 2:45—The O'Neill, NBC. 3:00—News. 3:15—Woman's Radio Review, NBC. 3:30—School of the Air. 4:00—Medical Association, NBC. 4:30—Federal Housing speaker. 5:00—Adventure in Aviation, NBC. 5:15—Singing Redheads. 5:30—Press-Radio News, NBC. 5:45—Little Orphan Annie, NBC. 6:00—The Easy Aces. 6:15—"Strange As It Seems." 6:30—Gould and Shafter, NBC. 6:45—The O'Neill, NBC. 7:00—Leo Reisman's orchestra, NBC. 7:30—Wayne King and his orchestra, NBC. 8:00—Benny Bernie and All the Lads, NBC. 8:30—Eddy Duchin's orchestra, NBC. 9:00—Dramatic Sketch. 9:30—Jimmy Fidler, NBC. 9:45—Harry Richmond, Tom Howard. 10:00—Amos 'n' Andy, NBC. 10:15—Hotel Bismarck orchestra, NBC. 10:30—News. 10:45—Rudy Newman's orchestra, NBC. 11:00—Shandor, violinist, NBC. 11:30—News. 11:45—Jimmy Dorey's orchestra, NBC. 12:00—Eddie Madriguera's orchestra, NBC. 12:30—Sign off. | 6:00 A. M.—Pink Lindset and Bluebird. 6:15—Singing Serenade. 6:30—The Hambley Kid. 6:45—Male Vocalists. 7:00—Health Program. 7:15—Musical Sundial. 7:30—Bugle Call Revue, CBS. 7:45—CONSTITUTION NEWS BROADCAST. 8:00—Musical Sundial. 8:30—Press-Radio News, CBS. 9:00—Romany Trail, CBS. 9:15—"The Three Stars," CBS. 9:30—Bob and Rennie, Songs, CBS. 9:45—"The Three Stars," CBS. 9:55—"The Three Stars," CBS. 10:00—"The Three Stars," CBS. 10:15—"The Three Stars," CBS. 10:30—"The Three Stars," CBS. 10:45—"The Three Stars," CBS. 10:55—"The Three Stars," CBS. 11:00—"The Three Stars," CBS. 11:15—"The Captivators," CBS. 11:30—Musical Program. 12:10 P. M.—News. 12:15—Health Program. 12:30—The Sideluxe Scoopers. 12:45—Concert Minutiae, CBS. 1:00—Between the Bookends, CBS. 1:30—School of the Air. 2:00—Service Service, CBS. 2:30—True Yacht, Address, CBS. 3:00—Jingle Club. 3:30—To be announced, CBS. 3:45—News. 4:00—To be announced. 4:30—Jimmy Della Chiesa, CBS. 4:45—Betty and Marsha. 4:55—Jimmy Farrell, Songs, CBS. 4:30—News. 4:45—"The Reporter." 4:45—The Goldbergs, CBS. 5:00—Rony Venous, Songs, CBS. 5:15—"The Reporter." 5:30—Chris Cross. 5:45—Sorrentos of Song. 6:00—Mike Thomas Sports Review. 6:15—Musical Tonic, CBS. 6:30—Kat Smith, CBS. 6:45—Boake Carter, CBS. | | |

LO, THE POOR VINTNER! A PITIED TALE OF WOE

Continued From First Page.

alcoholic content as fermentation may produce, for family use, for sale, or for family, and guests, free from any taxation whatever."

Friends Out of Luck.
Over at the federal alcohol offices he learned that the guests, which the state law allowed him to entertain with the generosity of a Benedictine monk, were actually out of luck. In the eyes of the federal law, wine made for family use, in for family use and the winemaker is not given the privilege of inviting in the neighbors from miles around for a snifter or two.

Mr. McGaughey looked up meekly. "But that's what I came to tell you about," he told the federal agent. "I've already made 350 gallons of wine and I came up to Atlanta to learn if I've violated the law."

The federal agent reached into a drawer and pulled out a form.

"Here, sign this," he said. "But that date on there is not right," said Mr. McGaughey. "I just made this wine last week and that date reads many months ago."

"Well," said the federal man, "you've been so honest about this that I'm straightening it out for you. I'm sure you won't be violating the law. This permit is dated back so you won't get into any trouble. Go home and pour out your wine until you get down to 200 gallons and you'll be all right."

"But I want to sell my wine," protested Mr. McGaughey. "I have no idea of drinking 200 gallons of wine. The Georgia law is dated back so you wine and sell it and that's what I want to do."

"Oh," said the federal man, "if you want to make wine for commercial purposes, you'll have to build a manufacturing winery and have it inspected and bonded by the government. Then you can make all the wine you want from nothing on up. Of course, you'll have to live up to government regulations and taxes."

Phew!
"But," Mr. McGaughey felt pointed out, "the Georgia law says that any grower of grapes or fruits or berries can make wines and sell them free from any taxation whatever."

"I'm sorry, sir," said the federal man, "but the federal law pays no attention to state laws unless the state laws are more strict than the federal laws."

So, Mr. McGaughey, who owns 200 acres of fruitful land near Ellijay is back home today wondering what it is all about. Mr. McGaughey grows raspberries on his farm and these are of such excellent quality that they get no farther than the city of Ellijay. He can scarcely grow enough to satisfy the demand of the town market.

His grapes are his particular pride. He has built trellises up the side of a hill and has spent years in cultivating his vines. He is willing to match his grapes against any grapes in the Moselle valley or California or anywhere where they grow grapes.

"I don't intend to build a winery," said Mr. McGaughey yesterday. "The cost wouldn't make it worth my while. I'm not going into business on that scale. All I want to do is to make wine out of the grapes I grow and sell it. I'm not trying to get into the wine market to that extent."

Linder's Private Regulations.
If he builds the winery he bumps into Commissioner Linder's private regulations which make it necessary that he apply for a permit; set forth his name and the location of the winery; state whether it is a partnership or a corporation or a private business; set forth the character of wine he intends to manufacture; the character of the crops from which it is to be produced; all where he will store it; work up a label setting forth the crop from which the wine is produced; state in fluid ounces the quantity in the container; print the label his name and where the wine is bottled; announce on the label that his wine is "manufactured in Georgia from Georgia grapes"; file specimen copies of his labels with the commissioner; manufacture his wine only from grapes, fruits or berries which are of sound quality, free from decay or disease of any nature; and such grapes, fruits or berries have been sprayed or dusted as a protection against insects or disease; the grapes, fruits and berries have been thoroughly cleaned before being made into wine; he shall conform to the standards of purity prescribed by the food and drug laws of the state; he shall manufacture his wine only under sanitary conditions and store it only in sanitary containers, both during the process of manufacture, and after the process is completed; he shall not use in his wines any ingredient imported into the state of Georgia; he shall not combine his own Georgia grapes with berries with grapes or berries from any other state; he shall not fortify his wine with the addition of alcohol, whiskey or brandy in any form, or by the addition of any substance capable of increasing the alcoholic content of such wine above the alcoholic content of the grapes, fruits or berries; and his winery shall always be opened to inspection by sheriffs, police officers and prosecuting attorneys, who, invariably, enjoy a snifter or so.

That sort of set him straight with the Georgia law, which gives him the right to make all the wine he wants and to sell it wholesale or retail, as long as he does not sell in a dry county.

So, with all that out of the way, Mr. McGaughey bumps into the federal law that supersedes the Georgia law, because as the federal agents explain it, "it is stronger, much stronger" than the Georgia law.

All of which means, of course, that the Georgia law is not worth the page of paper it was written on excepting for the generous federal provision which permits him to make 200 gallons of wine a year for his own use. And Mr. McGaughey, as he expresses it, doesn't propose to set himself to the task of drinking 200 gallons of wine a year. He has other things to do.

He would have to drink about two-thirds of a gallon a day under that rule, and attending to the raspberries and peaches on his farm requires that he inspect them occasionally with a clear and steady eye. His customers also would prefer him without two-thirds of a gallon of wine under his belt all the time.

Must Sell Grapes.
To make the Georgia law fit in with the federal law as far as Mr. McGaughey's problem of getting rid of his grape supply is concerned, Mr. McGaughey, if he doesn't care to invest thousands of dollars in a winery that would please both Tim Linder and the federal government, must sell his grapes to a winery.

There are four wineries in the state which are at Atlanta, Savannah, Rome and Thomasville.
"If I want to sell my grapes to a winery," Mr. McGaughey reasons, "I must have to sell them for less than I get if I walked up and down the streets of Ellijay, peddling them by the bunch."

Wineries buy grapes by the ton and pay prices accordingly. Only growers who produce them by the ton could hope to cope with the wineries. Mr. McGaughey doesn't have one of these 10,000-acre California orchards or vineyards. He has 200 acres outside of Ellijay.

And the Georgia law, signed by Governor Talma last year, says: "To promote temperance and prosperity for Georgia people; to foster and encourage the growing of grapes; to legalize the making of light domestic wines; to exempt from all taxation wines made from crops of grapes, fruits and berries whether wild or cultivated, by producers in Georgia of such crops, and to provide for the holding of an election to ratify or reject this act, and for other purposes."

Mr. McGaughey's grapes are not wild—but Mr. McGaughey is. The voters ratified the act, he recalls, to bring him this prosperity, but he asks, as he sits among his vines at Ellijay today:

"What was it all about?"

Coughlin Accepts Challenge of O'Connor

Sen. Norris, Nebraska Republican, Delighted Over Ruling.

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This opinion also was expressed by Edward Foley Jr., chief Public Works Administration counsel. The PWA is furnishing funds for the projects. Senator Norris, republican, Nebraska, coauthor of the TVA act, said he was "delighted," adding:

"If it had gone the other way I'd have been hearing the court ought to help my rural electrification bill."

That measure, calling for the expenditure of a billion dollars over a ten-year period to bring cheap power to farm areas, was approved last Saturday by the senate agriculture committee.

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"It is what I expected. And I do not see how the court could have done anything else. It was a great victory for the consumers of electrical energy."

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Senator McNinch, democrat, Tennessee, said in a statement: "The TVA board, said 'I don't feel depressed.'"

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"The TVA board, said 'I don't feel depressed.'"

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TVA Workers Happy Over Supreme Court Decision

NEW DEALERS PRAISE COURT'S TVA DECISION

WASHINGTON, Feb. 17.—(AP)—Administration and congressional leaders joined tonight in cheering the supreme court's TVA decision.

President Roosevelt withheld comment, but his lieutenants were quick to assert that the court's ruling meant that other New Deal power projects were safe from successful court attacks.

"On a hurried reading," said Frank R. McNinch, chairman of the Federal Power Commission, "the opinion appears to be a sweeping declaration of the constitutionality not only of the TVA but of power development in course of construction at Bonneville, Grand Coulee and Fort Peck and of other proposed federal projects."

This opinion also was expressed by Edward Foley Jr., chief Public Works Administration counsel. The PWA is furnishing funds for the projects. Senator Norris, republican, Nebraska, coauthor of the TVA act, said he was "delighted," adding:

"If it had gone the other way I'd have been hearing the court ought to help my rural electrification bill."

That measure, calling for the expenditure of a billion dollars over a ten-year period to bring cheap power to farm areas, was approved last Saturday by the senate agriculture committee.

"Great Victory."
Representative Rankin, democrat, Mississippi, who championed TVA in the house, said:

"It is what I expected. And I do not see how the court could have done anything else. It was a great victory for the consumers of electrical energy."

Critics of New Deal measures were silent. Senator Dickinson, republican, Iowa, who has expressed his willingness to be the republican party's presidential candidate, Dickson, who argued against the TVA in the senate, was approved last Saturday by the senate agriculture committee.

When he arose today to make a correction in the Congressional Record, Senator Lewis, democrat, Missouri, asked him if he would correct his Lincoln Day address "in view of the decision just handed down by the supreme court."

The Iowa replied he had not read the opinion and until he did he still believed parts of TVA were invalid. James M. Beck, former republican solicitor-general, who argued against the TVA in the senate, was approved last Saturday by the senate agriculture committee.

Senator McKellar, democrat, Tennessee, said in a statement: "The supreme court's opinion upholding the TVA all along the line is the best thing that has happened for Tennessee and our surrounding states. It is a great step forward for the nation."

It was renewed and ever-increasing prosperity and happiness for the people of the country, and eventually cheap power and light rates for the people of the entire country.

Senator McNinch, democrat, Tennessee, said in a statement: "The TVA board, said 'I don't feel depressed.'"

In the house Representative Monaghan, democrat, Tennessee, was applauded after withdrawing his resignation. He had sought to remove the court's authority to pass on the act.

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BONUS, FARM FUNDS APPROVED IN SENATE

Continued From First Page.

The Smith-Jones bill authorized \$500,000,000.

The total cost of paying the bonus in baby bonds cashable next June has been estimated at \$2,491,000,000.

Byrnes said only \$1,730,000,000 in new money was required since \$254,000,000 already was available in the adjusted service certificate fund and transfer of \$507,000,000 to reimburse the government life insurance fund for loans made on bonus certificates was simply a "bookkeeping" transaction, with no direct appropriation needed.

3 Hurt in Collision.
PHILADELPHIA, Feb. 17.—(AP)—Two Virginia truck drivers and a trolley car passenger were critically injured today in a collision. Donovan Colonna 20, Elmore, Va.; George Williams, 28, Willis Wharf, Va.; and Morris Williams, 38, Philadelphia, are the injured.

hailed the decision as a victory for the "New Deal."

"It was a great victory," said Governor Graves. "It will mean a great deal not only to Alabama because as I see it, the same principle is involved in Boulder dam, Grand Coulee and many others besides TVA, involving hundreds of millions of dollars."

"At this time, it is extremely necessary that America utilize its natural resources in order that we may compete with the world in world markets."

Mayors of cities that will benefit from cheaper electric power through TVA also were delighted with the ruling, and one of them, Mayor James A. Nelson, of Decatur, said "I hope the result paved the way for clearing of all obstacles in the path, so Decatur can utilize TVA current at the soonest possible time."

GOV. HORNER PRAISES TVA, ROOSEVELT
MIAMI BEACH, Fla., Feb. 17.—(AP)—Governor Henry Horner, of Illinois, a candidate for re-election next November, expressed his pleasure today when notified the United States supreme court had upheld the Tennessee Valley Authority.

"It is gratifying that a policy which has been doing so much for this country has been upheld," Governor Horner declared. "I regret that the AAA was not likewise upheld, but I am satisfied that the supreme court gave it careful consideration and when it speaks it is the constitution talking."

Interviewed here aboard the yacht of his friend, George F. Getz, of Chicago, treasurer of the national republican committee, the democratic Illinois Governor, said he would endorse the New Deal when he seeks re-election, except those parts which have been declared unconstitutional.

However, Governor Horner added he would be running on his "own record."

He criticized the attacks of the American Liberty League upon the New Deal by saying:

"Instead of helping a fellow build up they are trying to tear down. I have never been able to understand the purpose of the Liberty League unless it is an organized plan to make the problems of Mr. Roosevelt more difficult of solution."

THE WALDORF ASTORIA ANNOUNCES
WALTON H. MARSHALL AS SOUTHERN REPRESENTATIVE

Mr. Marshall now offers his friends throughout the South the unique facilities and services which have made The Waldorf-Astoria New York's social and business center.

Single rooms, \$5, \$6, \$7. Double, \$8, \$9, \$10.

THE WALDORF-ASTORIA
Park Avenue • 49th to 50th New York

Beware Coughs from common colds That Hang On

No matter how many medicines you have tried for your cough, chest cold or bronchial irritation, you can get relief now with Creomulsion. Serious trouble may be brewing and you cannot afford to take a chance with anything less than Creomulsion, which goes right to the seat of the trouble to aid nature to soothe and heal the inflamed membranes as the germ-laden phlegm is loosened and expelled.

Even if other remedies have failed, don't be discouraged. Your druggist is authorized to guarantee Creomulsion and to refund your money if you are not satisfied with results from the very first dose. Get Creomulsion right now. (Adv.)

TVA Project Developed Rapidly Along Program Outlined by Deal

Plan Started With Primary Goal of Providing Navigation, Flood Control and Electric Power in Tennessee River; 5 Big Dams Now Under Construction.

KNOXVILLE, Tenn., Feb. 17.—(AP)—In two and a half years the Tennessee Valley Authority has advanced a mountain lake of 54,000 acres with a winding shoreline of 704 miles.

A 220-mile, \$3,000,000 transmission line connecting Wilson dam, on the Tennessee river, and Norris dam, has been started.

Joe Wheeler dam, located 15 miles above Wilson dam on the Tennessee river in northern Alabama, is nearly finished. It is 6,335 feet long—more than a mile—and 72 feet high, and has been estimated to cost \$29,000,000. It was started to create a reservoir of 100 square miles and provide nine-foot navigation to Guntersville dam, 75 miles upstream.

Work was started only recently on the \$28,000,000 Pickwick landing dam, which is 1,715 feet and a height of 110 feet, it was designed to include facilities for future installation of six 48,000-horsepower generating units and to provide navigation to the foot of Wilson dam.

In southwestern Tennessee, 53 miles downstream from Wilson dam, the \$29,000,000 Guntersville dam, nine miles downstream from Guntersville, Ala., and the \$32,000,000 Chickamauga dam, seven miles above Chattanooga, Tenn., these were planned to be similar to Pickwick dam but smaller. Wilson dam and the four new ones, the TVA reported, would make 323 miles of the Tennessee river navigable.

Construction of a storage dam on the Hiwassee river near Murphy, N. C., was expected to be authorized soon.

With two electric demonstration furnaces at nitrate plant No. 2 at Muscle Shoals, the TVA began producing fertilizers from raw phosphate rock found in middle Tennessee.

In the 22 counties where it started sale of electricity, the Authority gained 13,238 customers.

The TVA also began conducting studies looking to the use of local agricultural products in industry and industry diversification and decentralization of industry and urban life.

Today the TVA has built its personnel to 12,750 employees and has spent \$73,443,021. Commitments, not yet expended, total \$11,603,925. A total of \$11,000,000 has been approved for the fiscal year 1936-37.

The government agency built the model town of Norris in east Tennessee at a cost of \$3,500,000.

It began production of a super-phosphate fertilizer at Muscle Shoals. It reclaimed thousands of acres of land through a reforestation and soil control program.

It invested millions of dollars in reservoir areas upstream from proposed dams and moved out thousands of families.

It began studies of social and industrial conditions looking to the ultimate diversification and decentralization of industry and urban life.

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COUGHLIN, O'CONNOR NEARING SHOWDOWN

Continued From First Page.

New Yorker as chairman of the rules committee had intimidated house members into taking their names off of a petition to force a house vote on the inflationary \$3,000,000,000 Frazier-Lemke farm debt refinancing bill.

"Disgrace to Church."
O'Connor came back with a statement to newspapermen attacking Father Coughlin as "a disgrace to my church," and sent the Detroit priest a telegram challenging him to come to Washington and repeat his charges to O'Connor's face.

If he did, the New Yorker promised, "I'll guarantee to kick him from the capital to the White House."

Representative Sweeney read O'Connor's telegram to the house today and announced "Father Coughlin will take up the challenge and will arrive here tomorrow morning." A number of members caught the significance of his announcement, however, because the applause and rebel yells that greeted the telegram itself were so loud that Sweeney's announcement was lost in the confusion.

Later the Ohioan explained he had talked with Coughlin by telephone today and that the priest said he accepted the challenge and would be in Washington "within a few hours."

Plans House Reply.
O'Connor accused the trick of stepping into the Frazier-Lemke situation when the petition designed to force a vote needed but four signers. Democratic leaders now have cut the number back down to 200 of the needed 218—just as he had on the bonus and World Court issues.

He also planned a reply on the floor tomorrow to Coughlin's charges.

Representative Lemke, republican, North Dakota, co-author of the bill to refinance all farm mortgages at 11.2 per cent, each, principal and interest, a year out of a \$3,000,000,000 new money issue, meanwhile talked with President Roosevelt. He said after the conference the executive had told him he had in no way interfered with house action on the bill.

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ANTI-WAR RESOLUTION IS ADOPTED BY HOUSE

Only Smattering of Opposition Develops to Neutrality Compromise.</

Minority Opinion in TVA Case

McReynolds, Only Dissenter, Hits U. S. 'Entering Business'

WASHINGTON, Feb. 17.—(AP)—The text of the dissenting opinion in the TVA case, delivered by Justice McReynolds:

Consider the constant rulings of this court through many years that it is not difficult for me to conclude that petitioners have presented a justifiable controversy which we must decide. In Smith vs. Kansas City Title Co., 255 U. S. 180, the grounds for jurisdiction were far less substantial than those here disclosed. We may not with propriety avoid disagreeable duties by lightly forsaking long respected precedents and established practice.

Nor do I find serious difficulty with the notion that the United States, by proper means and for legitimate ends, may dispose of water power or electricity honestly developed in connection with permissible improvement of navigable waters. But the means employed to that end must be reasonable appropriate in the circumstances. Under pretense of exercising granted power, they may not in fact undertake something not entrusted to them. Their mere ownership, e. g., of an iron mine would hardly permit the construction of smelting works followed by entry into the business of manufacturing and selling hardware, albeit the ore could thus be disposed of at the dealers' prices. Here, therefore, we should consider the truth of petitioners' charge that, while pretending to act in good faith to improve navigation, the United States, through corporate agencies, are really seeking to accomplish what they have no right to undertake—the business of developing, distributing and selling electric power. If the record sustains this charge, we ought so to declare and decree accordingly.

NARROW VIEW CHARGED TO COURT.

The circuit court of appeals took too narrow a view of the purpose and effect of the contract of January 4, 1934. That was far beyond the mere acquisition of transmission lines for proper use in disposing of power legitimately developed. Like all other contracts it must be considered as a whole, illumined by surrounding circumstances. Especial attention should be given to the deliberately announced purpose of the contract, clothed with extraordinary discretion and supplies with enormous sums of money. With \$50,000,000 at their command they started out at stake the whole Tennessee river system in large areas and to dictate the prices. The power at Wilson dam was the instrumentality seized upon for carrying the plan into effect.

While our primary concern is with this contract, it cannot be regarded as a mere isolated effort to dispose of property, and certainly to consider only those provisions which directly relate to Alabama Power Company is not permissible. We must give attention to the whole transaction—its antecedents, purpose and effect—as well as the terms involved.

NO ABSTRACT QUESTION—BEFORE HIGH COURT.

No abstract question is before us; on the contrary, the matter is of enormous practical importance to petitioners—those who are in charge of the Tennessee river. Properly understood, the pronouncements, policies and program of the Authority illuminate the action taken. They show the serious interference with the petitioners' rights. Their property was in danger of complete destruction under a considered program of the Tennessee river authority, the national government with vast resources subject to its discretion and backed by other agencies likewise entrusted with the task of huge sums. The threat of competition by such an opponent was appalling. The will to prevail was evident. No private citizen could reasonably hope to withstand such force.

The Tennessee river, with headwaters in West Virginia and North Carolina, crosses the Tennessee state line, enters Alabama near Chattanooga, flows westerly across the northern part of that state to the Tennessee river, passes through Tennessee and Kentucky, and empties into the Ohio river. It is 600 miles long; the drainage basin approximates 40,000 square miles. The volume of water is extremely variable; commercial navigation is of moderate importance.

GREAT DAM BUILT ON TENNESSEE RIVER

At Muscle Shoals, near Florence, Ala. (20 miles east of the Muscle Shoals line and 15 miles of Tennessee), a succession of falls constitutes serious interference with navigation; also presents possibilities of development of power on a large scale. During and immediately after the World War a great dam was constructed there by the United States, intended primarily for the production of electricity soon commenced. Some of this was devoted to governmental purposes; much was sold, delivery being made at or near the dam.

During the last 30 years, several corporations have been engaged in the growing business of developing electric energy and distributing it to customers over a wide area of interconnected lines extending throughout Tennessee, Georgia, Alabama and Mississippi. At great expense they gradually built up a system of power, and acquiring properties of very large value. All operated under state supervision. Through stock ownership or otherwise, they were under general control by the Commonwealth and Southern Corporation. Among the associates were the Alabama Power Company, which served Alabama; the Mississippi Valley power company, which served Mississippi; and the Tennessee company, which operated in eastern Tennessee. Huge sums were invested in these enterprises by thousands of investors in various states. Apparently the companies were diligently developing their several systems and responding to the demands of the territories which they covered.

OPERATIONS BEGUN ON IMPROVING PROGRAM

In 1933 operations began under an improving program for the Tennessee river navigation and especially for developing water power along its whole course at public expense. This plan involved conversion of water power into electricity for wide distribution throughout the valley and adjacent territory. Its development was entrusted to the Tennessee Valley Authority, a federal corporation

wholly controlled by the United States. This promptly took over the Wilson dam and began work upon the Tennessee, 200 miles above the Wilson dam. All these, with probable additions, were to be connected by transmission lines and electric energy distributed from them to millions of people in many states. Public service corporations were to be brought to terms or put out of business. At least \$75,000,000 of public funds was early appropriated for expenditure by the directors; and other governmental agencies in control of vast sums were ready to lend aid.

Readily to understand the issues now before us, one must be mindful of these circumstances.

DELIBERATE STEP INTO FORBIDDEN FIELD

The trial court made findings of fact which fill more than 90 printed pages. They are not controverted; and for present purposes are accepted; upon them the cause stands for decision. They are much quoted below. Plainly they indicate, and that court, in effect, declared, the contract of January 4 was a deliberate step into a forbidden field, taken for the definite purpose to continue the trespass.

Nothing suggests either necessity or desirability of entering into this agreement solely to obtain solvent status. They are much quoted below. Plainly they indicate, and that court, in effect, declared, the contract of January 4 was a deliberate step into a forbidden field, taken for the definite purpose to continue the trespass.

The record leaves no room for reasonable doubt that the primary purpose was to put the federal government into the business of distributing and selling electric power throughout certain large districts, to expel the power companies which had long been in the area, and to control the market there. A government instrumentality had entered upon a pretentious scheme to provide a "yardstick" of the fairness of rates charged by private owners, and to obtain "no loss a goal than the electrification of America." "When we carry this program into every town and city, at special, stipulated rates, throughout the country, we will have written the greatest chapter in the economic, industrial and social development of the world. Any reasonable doubt concerning the purpose and result of the contract of January 4 or of the design of the authority should be dispelled by examination of its record since 1933.

INDEPENDENT NETWORK OF UTILITY SYSTEMS

The conception was to establish an independent network of utility systems in all respects with the electric utility system serving the area, with which TVA sought to establish interchange arrangements, both as outlets for its own power and to use existing systems as a stand-by or back-up service.

The TVA plan as conceived and in process of execution contemplates complete and exclusive control and jurisdiction over all power sites on the Tennessee river and tributaries. The TVA policy contemplates full corporate direction by TVA in developing, executing and extending its electric system and service within transmission limits. This policy contemplated service of utility type and covered not only generation but transmission and distribution (preferably through public or non-profit agencies) in all phases of the business. It was, moreover, implicit in both the January 4 contract and the now terminated August 9 contract.

The challenged contract is defended upon the theory that the "federal government may dispose of the surplus water power necessarily created by the Wilson dam, and may authorize generation of electric energy and acquisition of transmission lines as means of facilitating this disposal." But the real purpose, obviously, is not the real purpose; obviously, the thing to be facilitated was carrying on business by use of the purchased property. Under the guise of disposing of something wholly different was to be accomplished—devotion of electric power to purposes beyond the sphere of proper federal action, and the unlawful disposal of its cost.

The claim that such a contract was either necessary or desirable merely to bring about the sale of property, this court has often affirmed that facts, not affected by its cost, clearly the end in view: "This public operation is to serve as a yardstick by which to measure the fairness of electric rates." "The TVA power policy was not designed or limited with a view to the marketing of the power produced and available at Muscle Shoals." "In formulating and going forward with the power policy the board was considering that policy as a permanent and independent system."

COMPLETE SURVEY IS NOT ESSENTIAL

For present purposes a complete survey of the Tennessee river is not essential. The pleadings and findings fairly outline the situation. What follows is mainly quoted or derived from them.

The act of May 18, 1933, created the Tennessee Valley Authority as a body corporate for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Alabama, for the interest of the national defense and for the cultural and industrial development, and to improve navigation in the Tennessee river and to control the destructive flood waters in the Tennessee river and the Mississippi river basins. It provided, a board of three directors "shall direct the exercise of all the powers of the corporation," and "is authorized to make alterations, modifications or improvements in existing plants and

facilities, and to construct new plants; and to produce, distribute and sell electric power as herein particularly specified." The corporation "shall have such powers herein specifically conferred upon the corporation," "to acquire real estate for the construction of dams, reservoirs, transmission lines, power houses, and other structures, and navigation projects at any point along the Tennessee river, or any of its tributaries."

Also the board is "hereby empowered and authorized to sell the surplus power not used in its operations, and for operation of locks and other works generated by it, to states, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth; and to carry out said authority, the board is authorized to enter into contracts for sale for a term not exceeding 20 years." "In order to promote and encourage the fullest possible use of the electric lines and power on farms within reasonable distance of any of its transmission lines the board in its discretion may make such rules and regulations governing such use, and the distribution of such electric power as in its judgment may be just and equitable."

POWER POLICY FIRST ACT OF TVA

"One of the first corporate acts of TVA after its organization was to formulate and announce a power policy to govern the commercial distribution of electric power by TVA. The evidence established that the board from the outset has considered that it has general corporate discretion as to the establishment of a system of electric power policy. In establishing a power policy the board was not primarily concerned merely the question of distribution of power, but of the whole system. No attempt was made to show otherwise. The definite end in view was something other than orderly disposition."

The record leaves no room for reasonable doubt that the primary purpose was to put the federal government into the business of distributing and selling electric power throughout certain large districts, to expel the power companies which had long been in the area, and to control the market there. A government instrumentality had entered upon a pretentious scheme to provide a "yardstick" of the fairness of rates charged by private owners, and to obtain "no loss a goal than the electrification of America." "When we carry this program into every town and city, at special, stipulated rates, throughout the country, we will have written the greatest chapter in the economic, industrial and social development of the world. Any reasonable doubt concerning the purpose and result of the contract of January 4 or of the design of the authority should be dispelled by examination of its record since 1933.

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struct its own transmission facilities for serving all of the territory which it is then serving in whole or in part with power obtained at such interchange points."

"Power companies agree to have available at all times for exchange, at each point of exchange, energy and capacity to supply the entire demand of customers served by the Authority from such points of exchange, subject to the limitations as to transmission capacity set forth in Section (F) hereof; provided, that the maximum amount which the Authority shall be entitled to demand at all points of exchange shall be 70,000 K. V."

Prior to the agreement for sale the Alabama company had derived \$750,000 gross annual revenue from its properties located within the "ceded area." This district had a population of 100,000; and the company had therein 10,000 individual customers—approximately one-tenth of all those directly served by it. The lines transferred by the Mississippi Power Company served directly 4,000 customers in nine counties, having a total population of 184,000. When this case began, the Mississippi properties were being operated by TVA and rural lines were in process of extension by it in both Mississippi and Alabama.

CONTRACTS ENLARGED UTILITY SERVICE

"All of the electric properties and facilities covered by the contract of January 4, 1934, . . . were contracted for by TVA for the purpose of extending the utility service for which they were used by the respective power companies."

"The operation of a commercial utility, such as TVA, is a business, and the sale of the properties in the area served by the Alabama Power Company is not and will not be an aid of the regulation of commerce within the meaning of any other governmental function so far as any plan, purpose or activity of the TVA or the United States is concerned on this record would indicate."

Answering the petitioners' complaint, Alabama company admitted that the public statements of TVA "indicated the program was to be a government-owned utility, and the directors of respondent company considered that to vest such an agency as therein alleged, with unlimited power to acquire public funds, in a program of business competition and public ownership promotion in the area served by the respondent company, would in effect destroy this respondent's property; and such conclusion on its part was the principal inducement to the respondent company to enter into the contract of January 4, 1934, and August 9, 1935; and respondent company thereby was and will be enabled to salvage a larger amount of its property than it could have done by competition. Also, "that under the circumstances of threatened competition, directed or controlled by TVA as asserted herein, the respondent company was forced to sell certain of its transmission lines and property, and entered into the contract dated January 4, 1934, and August 9, 1935, and before the execution of the contract, the threat was made to use federal funds to duplicate the facilities of the respondent company, and to result in competition with rates not attainable by or permissible to this respondent, and such rates would be controlled by TVA."

LOSS TO COMPANY IS SEEN IN CONTRACT

"The function intended by TVA under the evidence in relation to service of utility type, in the area served by the contract of January 4, 1934, transcends the function of conservation or disposition of government property, involves the use of government funds to fill contracts not governmental in origin or character."

"Performance of the contract of January 4, 1934, would involve substantial loss and injury to the Alabama Power Company, including, but not limited to, the loss of its franchises, licenses, going business and service area supporting its general system and power facilities and the resulting loss of its territory, a progressive encroachment on its service area by the Tennessee Valley Authority."

"Congress has no constitutional authority to authorize Tennessee Valley Authority or any other federal agency to undertake the operation, maintenance, or control of a utility system for profit, involving the generation, transmission and commercial distribution of electricity within state domain, having no relation to a lawful governmental use."

CONTRACT VOID, SAYS McREYNOLDS

"The contract of January 4, 1934, expressly provided for the transfer of all or substantially all of the lines and properties of the Alabama Power Company for the service of the Tennessee Valley Authority. The contract, expressly contemplating service of the ceded area by the Tennessee Valley Authority with the transmission lines purchased by the Tennessee Valley Authority for that purpose, was in furtherance of illegal proprietary operations by the Tennessee Valley Authority in violation of the federal constitution and void. The contract was accordingly void ab initio and void as to the Alabama Power Company. Having made exhaustive findings of fact and law, the trial court entered a decree annulling the January 4 contract and enjoining the Alabama Power Company from performing it. The circuit court of appeals reversed, upon the theory that the Authority was making proper arrangements for sale of surplus power from the Wilson dam. The injunction was continued."

I think the trial court reached the correct conclusion and that its decree should be approved. If under the thin mask of disposing of property the United States can enter the business of generating, transmitting and selling power, when and wherever some board may specify, with the definite design to acquire the surplus power from the Wilson dam, for the benefit of the constitution, an easy way has been found for breaking down the limitations heretofore supposed to guarantee protection against aggression by the power companies."

NEBRASKA DELEGATES TO BACK ROOSEVELT

LINCOLN, Feb. 17.—(AP)—A slate of delegates to the national democratic convention, claimed by spokesmen to be the customers of non-utilities supplied by the power companies.

"The power companies covenant and agree that after the expiration of this agreement the interchange agreement then in effect will be assigned to the power companies for an additional period (not exceeding 18 months) sufficient to permit Authority to complete its plans."

HIGH COURT'S RULING

DELAYS CASE A LEGAL

Continued From First Page.

tests, the other being in the celebrated "gold clause" cases of a year ago.

Justice McReynolds who bitterly decried "The Constitution is gone" in dissenting from the gold decision, objected to the TVA views of his eight colleagues as follows:

"If under the thin mask of disposing of property, the United States can enter the business of generating, transmitting and selling power, when and wherever some board may specify, with the definite design to acquire the surplus power from the Wilson dam, for the benefit of the constitution, an easy way has been found for breaking down the limitations heretofore supposed to guarantee protection against aggression by the power companies."

HUGHES LIMITS VERDICT

Although concurring with the majority, four justices—Brandeis, Stone, Cardozo and Roberts—held in a separate opinion that the court should have insisted upon the want of jurisdiction of the suit brought by 14 minority stockholders of the Alabama Power Company.

Hughes speaking slowly and forcefully, limited the court's verdict to constitutional issues raised in a \$1,350,000 contract for purchase by TVA of power company transmission lines, and refused to go beyond the interchange of power and sale of surplus to the Alabama company.

By so doing, the court did not rule upon the constitutionality of the TVA as land purchaser, resettlement or encouragement of the wider use of electric power.

"The court is not to grant a 'declaratory decree' sought by the stockholders, to enjoin the government from future activity in competition with private power companies as the result of dams now under construction or to be built."

Three new dams are now being constructed in the Tennessee valley. They are the Norris, Wheeler and Pickwick Landing dams.

Edward Foley Jr., chief public works administration counsel, said the government is not a party to the successful legal attacks on other federal power projects.

The reclamation bureau and army engineers are constructing the Grand Coulee and Bonneville dams on the Columbia river, and Fort Peck on the Missouri. Boulder dam on the Colorado river is also completed.

NORRIS 'DELIGHTED'

Senator Norris, republican, Nebraska—co-author of the TVA legislation and its staunch defender, said: "I'm delighted. I've been heartbroken over the decision of the court. It is a relief. It ought to help my rural electrification bill."

That measure, providing for expenditure of \$1,000,000,000 over a ten-year period to bring cheap power to the farms, was approved last Saturday by the senate agriculture committee.

In the majority opinion, Hughes said: "We limit our decision to the case before us. We have defined it. 'The argument is eloquently presented that the government by virtue of its ownership of the (Wilson) dam and power plant could not establish a steel mill and sell steel products, or a factory to manufacture clothing or shoes for the public, and thus attempt to make its ownership of energy, generated at its dam, a means of carrying on competitive commercial enterprises and thus drawing to the federal government the condemnation of the constitution. We find no relation to the purposes for which the federal government was established."

DISPOSES OF ENERGY

"The government is disposing of the energy itself which simply is the mechanical energy, incidental to falling water at the dam converted into electric energy which is susceptible of transmission."

"The question here is simply as to the ownership of the transmission lines as a facility for the disposal of that energy."

"And the government rightly contends that it is not to be construed as if it was without constitutional authority to acquire or dispose of such energy except as it comes into being in the operation of a utility constructed in the exercise of some power delegated to the United States."

"As we have said, these transmission lines are directly from the dam, which has been lawfully constructed, and the question of the constitutional right of the government to acquire and operate local or urban distribution systems is not involved."

"We express no opinion as to the validity of such an effort, as to the development in the Tennessee valley, whether connected with or apart from the Wilson dam, or as to the validity of the Tennessee Valley Authority in the exercise of its powers, or the broad terms of the constitutional provisions, of a power of disposal which the public interest may imperatively require."

Hughes cites Example. "Suppose, for example, that in the erection of a dam for the improvement of navigation, it became necessary to destroy a dam and power plant which previously had been erected by a private corporation engaged in the generation and distribution of energy which supplied the needs of neighboring communities and business enterprises."

"Would anyone any that, because the United States had built its own dam and plant in the exercise of its constitutional functions, and its complete ownership and dominion over both, no power could be supplied to the communities and enterprises dependent on it, not because of any constitutional prohibition, but because of its broad terms of the constitutional provisions, of a power of disposal which the public interest may imperatively require."

"The constitutional provision is silent as to the method of disposing of property belonging to the United States. The method of course, must be an appropriate means of disposition according to the nature of the property. It must be one adopted in the public interest as distinguished from private or personal gain, and we may assume that it must be consistent with the foundation principles of our dual system of government and

HIGH COURT'S RULING

DELAYS CASE A LEGAL

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ed with fraudulent intent or under legal duress.

"To entitle the complainants to a decree annulling the contract, it is enough to show the breach of trust or duty involved in the injurious and illegal action."

The Wilson dam, a structure 100 feet high and about a mile long, was built under authority of the national defense act of 1916. Located on the Tennessee river in northern Alabama, it was completed in 1926.

In upholding the fight of congress to build the dam, the court said: "We may take judicial notice of the international situation at the time the act of 1916 was passed, and it cannot be successfully disputed that the Wilson dam and its auxiliary plants, including the hydro-electric power plant, are and were intended to be adapted for the purposes of national defense."

FINDING HAS SUPPORT

"While the district court (which annulled the contract and held TVA unconstitutional) found that there was no intention to use the nitrate plants or the hydro-electric units installed at Wilson dam for the production of war materials, it found that the river in tenance of said properties in operating condition and the assurance of an abundant supply of electric energy in the event of war, constituted national defense assets. This finding has ample support."

"The act of 1916 also had in view 'improvements in navigation.' The Tennessee river is a navigable stream, although there are obstructions at various points because of shoals, reefs and rapids. The improvement of navigation on this river has been a matter of national concern for over a century."

"While in its present condition, the Tennessee river is not adequately improved for commercial navigation, and traffic is small, we are not at liberty to conclude either that there is a substantial obstacle to development as an important waterway, or that congress has not undertaken that development, or that the construction of the Wilson dam was not an appropriate means to accomplish a legitimate end."

WILSON DAM PLANT

"The Wilson dam and its power plant have been taken to have been strictly in the exercise of the constitutional functions of the federal government."

"Discussing the constitutionality of disposing of surplus power, the court said: "The government acquired full title to the dam site, with all its riparian rights, by the act of 1916."

"The power of falling water was an inevitable incident to the construction of the dam. That waterpower was converted into electric energy, and the electric energy thus produced constituted property belonging to the United States. . . .

"Authority to dispose of property constitutionally acquired by the United States is expressly granted to congress by Section 3 of Article 4 of the constitution. . . . The question is as to the scope of the grant and whether there are any limitations which render invalid the disposition of property with which we are not concerned. . . .

"This power of disposal was early conferred upon congress, thus enabling the government to derive profit through royalties. . . .

"Full Power of Disposal." "The policy, early adopted and steadily pursued, of segregating and leasing the surplus power lands and providing for leases, pointed to the recognition both of the full power of disposal and of the necessity of leasing the surplus power lands to different sorts of property. . . .

"But when congress thus reserved the power of disposal, it could not be doubted that congress could have provided for mining directly by its own agents, instead of giving that right to lessees on the payment of royalties."

"Upon what ground could it be said that the government could not mine the coal, silver, coal, lead, phosphates in the public domain, and dispose of them as property belonging to the United States? . . . It would seem to be clear that the government has the power of disposal of its property, and that it is not to be construed as if it was without constitutional authority to acquire or dispose of such energy except as it comes into being in the operation of a utility constructed in the exercise of some power delegated to the United States."

"As we have said, these transmission lines are directly from the dam, which has been lawfully constructed, and the question of the constitutional right of the government to acquire and operate local or urban distribution systems is not involved."

"We express no opinion as to the validity of such an effort, as to the development in the Tennessee valley, whether connected with or apart from the Wilson dam, or as to the validity of the Tennessee Valley Authority in the exercise of its powers, or the broad terms of the constitutional provisions, of a power of disposal which the public interest may imperatively require."

"The constitutional provision is silent as to the method of disposing of property belonging to the United States. The method of course, must be an appropriate means of disposition according to the nature of the property. It must be one adopted in the public interest as distinguished from private or personal gain, and we may assume that it must be consistent with the foundation principles of our dual system of government and

"The question is whether a limited power of disposal should be applied to the water power, convertible into electric energy, and the electric energy thus produced at the Wilson dam, constructed by the government in the exercise of its constitutional functions. If so, it must be by reason either of (1) the nature of the particular property, or (2) the character of the surplus disposed of, or (3) the manner of disposal."

"Disposition Well Established." "That the water power and the electric energy generated at the dam are susceptible of disposal as property belonging to the United States is well established."

"The argument is stressed that, assuming that electric energy generated at the dam belongs to the United States, the congress has authority to dispose of it as it sees fit, to the extent that it is a surplus necessarily created in the course of making munitions of war or operating the works of the government, and that the remainder of the available energy must be lost or go to waste."

"We find nothing in the constitution which imposes such a limitation. It would hardly be contended that, when the government reserves coal on its lands, it can mine the coal and dispose of it only for the purpose of supplying the needs of the government, and not for other government purposes."

"We think the same principle is applicable to electric energy. The argument pressed upon us leads to absurd consequences. The government, by its broad terms of the constitutional provisions, of a power of disposal which the public interest may imperatively require."

Hughes cites Example. "Suppose, for example, that in the erection of a dam for the improvement of navigation, it became necessary to destroy a dam and power plant which previously had been erected by a private corporation engaged in the generation and distribution of energy which supplied the needs of neighboring communities and business enterprises."

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STATE BUREAUS TO GET UNPAID APPROPRIATION

Continued From First Page.

February 21, 1935, in which the funds were declared lapsed and the Governor used them to wipe out a \$1,600,000 state deficit.

The section of the 1931 and 1933 general appropriations acts, under which the budget reductions were originally ordered in 1932, 1933, 1934 and 1935, says that when such reductions are ordered what remains shall be the appropriations for the particular years.

The sections of the bills are identical. They cover 1932 and 1933 in the 1931 act and 1934 and 1935 in the 1933 act. It follows:

"Be it further enacted, that in the event that the revenue receipts for the state treasury available for paying the fixed sum appropriations herein made shall be less than the total sum of such appropriations in either of the

periods covered under this act, then the fixed amounts herein appropriated shall be paid in full for the following purposes: For insurance on public property, for the interest on the fixed public debt, for the interest on current loans and for the expenses of the judicial and legislative branches; and the fixed sums appropriated for all other purposes for that period shall be reduced pro rata in the amount of the deficiency of revenue receipts for the period. The sums so stricken from the provisions of this section are hereby declared annulled and the sums remaining after the application of the provisions of this section shall be the appropriations for the purposes named in this act, in lieu of the amounts therein fixed and set out."

Credits Are Ordered.

The Governor's proclamation called on the state treasurer and comptroller general to "set up their books" for 1936 and credit the money to the various departments, institutions and state agencies.

Failure of the 1935 legislature to pass an appropriations bill for the present year, the Governor said, "creates an emergency which renders executive action necessary."

In his lengthy order, the Governor

reviewed the various acts of legislation setting up appropriations for the various governmental divisions and that appropriations for previous years "have never been repealed, altered or modified, but remain in full force and effect."

Observers last night expressed the opinion that the success of the "dictatorship" depended on the views taken by State Treasurer Hamilton and Comptroller General Harrison.

Treasurer Hamilton has honored all the Governor's warrants up to the present time, but has made notation on those which were not covered by standing appropriations that they were paid "from 1935 appropriations."

A. Appropriations and Reductions.

Appropriations and reductions for the four years follow:

Nineteen hundred thirty-two, \$10,893,969, 11 1/2 per cent, \$1,252,789.58.

Nineteen hundred thirty-three, \$10,932,460.14, with a deduction of \$185,000 as cost of the general assembly, 20 per cent, \$3,016,778.64.

Nineteen hundred thirty-four, \$9,714,350, 21 1/2 per cent, \$2,088,583.25.

Nineteen hundred thirty-five, \$10,272,183.33, with deduction of \$192,000 for the legislature and \$333,333.33

as payment to the regents, 20 per cent, \$1,046,370.

The last figure must be reduced by about \$240,000 in 1935 appropriations paid up since January 1.

These amounts total \$8,066,052.

This equals about 70 per cent of the average total appropriation for the four-year period.

There is some difference of opinion as to the capitol whether or not bondsmen of the two state officials—both of whom are constitutional officers—would permit them to pay out the funds even though the opinion of the attorney-general held they would not be liable.

Harrison and Hamilton are under surety bonds of \$200,000 each, made payable to the Governor.

In one previous instance, when the head of the motor vehicle license department declined to cut the price to \$3 as ordered by Talmadge, the Governor succeeded in putting in the bargain price by relieving the official's bondsmen of liability.

Legislative Action Unnecessary.

The Governor's proclamation said various provisions of legislation, which he cited, "constitute appropriations made by law within the meaning of the constitution of this state" and that "they meet and satisfy the requirements of the constitution and further legislative action unnecessary."

"The general assembly has, therefore," the proclamation continued, "by legislative enactment made appropriations for the support of the state government and the various institutions and agencies of the state for the years 1932 and 1933, and for the years 1934 and 1935."

An account of the insufficiency of the revenue available for the payment of such appropriations, the same were not paid in full.

"There being no legislative enactment making appropriations for such departments, boards, bureaus and agencies of the state for the year 1936, any revenue coming into the state treasury since January 1, 1936, not otherwise appropriated to one of the objects hereinbefore mentioned, is revenue available for the payment of such appropriations within the meaning of the acts of the general assembly in making such appropriations."

Bureaus Gives 1935 Budget.

The proclamation was emphatic that no state agency was to have set up its credit an amount exceeding that appropriated in 1935.

"Said amounts," the order read, "so set up shall be disbursed to such departments, boards, bureaus, institutions and agencies of the state upon warrants of the Governor issued pursuant to approved budgets as now provided by law."

The Governor also ordered that the amounts fixed for the governmental departments shall be subject to "reduction by further executive order in the event of any deficit of revenue available for the year 1936, to pay the amount of any such deficit bears to the amount so set up."

Governor Talmadge called Secretary of State John B. Wilson into his office to attest the Governor's signature and attach the great seal of the state to the original copy of the proclamation and order.

Shortly after the Governor took over the financial "dictatorship" of the state January 1, he called for departments and agencies to submit their budgets to the budget commission, composed of Talmadge and State Auditor Wisdom.

Budgets Ordered Pared.

Several of the budgets submitted were for amounts greater than those of the first quarter in 1935 and Governor Talmadge, by order, returned those above the 1935 amounts with instructions that they be pared down to within that limit.

All departments complied with the order and he has approved budgets for all agencies.

A few days ago Treasurer Hamilton sent a letter to several department heads calling on them to put funds into the treasury which were reported as being withheld.

Up to date neither Commissioner of Agriculture Tom Linder nor R. E. Gormley, state banking commissioner, nor Charles E. Stewart, state naval stores inspector, have turned any money into the treasury.

It developed the Georgia Public Service Commission, which received one of the letters, paid in all the money he had that was required by law to deposit there.

Stewart replied that he had \$102 in fees due the state and was ready to pay that in when the state needed it.

Linder told Hamilton he knew about the law and Gormley assured the treasurer he intended to "comply with the law."

Hamilton, in the case of the ruling by the attorney general on the right of the public service commission to withdraw all its funds from the treasury or withhold certain amounts until the end of the year, replied that he could not agree to one minor exception but would raise no objection.

Whereas, the general assembly has heretofore, by legislative enactment, created special funds for the support and maintenance of other departments and agencies of the state, which funds consist of fees and other special taxes levied for the support of such departments, boards, bureaus, institutions and agencies, and which are continuously appropriated for such purpose and can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created a special fund to aid in the establishment and maintenance of consolidated schools, consisting of four hundred thousand dollars (\$400,000), each year, of the poll tax collected and paid into the treasury, which the constitution provides shall be set apart and devoted for the support of the common schools, and which said fund is continuously appropriated for such purpose, and can be used for no other purpose; and

Whereas, the salaries of the judges of the supreme court, the justices of the court of appeals, the judges of the superior courts and the solicitors general are fixed by the constitution of this state, and can be neither increased nor diminished during their respective terms of office; and

Whereas, the salaries of the governor and other constitutional officers are fixed by law, pursuant to the provisions of the constitution, and can be neither increased nor diminished during their respective terms of office; and

Whereas, the general assembly has heretofore provided, by legislative enactment, for the payment of the salaries of all officers whose salaries are fixed by the constitution and laws, and has made a continuing annual appropriation for such purpose; and

Whereas, the various provisions of law heretofore referred to constitute

Text of Talmadge Proclamation

The proclamation of Governor Talmadge decreeing unpaid appropriations of former years now available to state departments for 1936 operations follows in full:

Whereas, the general assembly, at its session of 1935, failed to enact a general appropriations bill making appropriations for the operation of the state government for the year 1936, and

Whereas, such failure to enact a general appropriations bill creates an emergency which renders executive action necessary in order that the government of the state may function, that the executive and judicial branches of the state may continue to operate, that the public schools and institutions of higher education of the state may continue, that the inmates of the Milledgeville state hospital for the insane may be cared for, that the Confederate veterans may be paid the pensions necessary for their livelihood, and in order that the inmates of the state prison may be fed, clothed and housed and not released upon the public; and

Constitution Cited.

Whereas, it is provided by the constitution of the state of Georgia that "no money shall be drawn from the treasury except by appropriation made by law"; and

Whereas, the general assembly has heretofore, by legislative enactment, created a state road fund, consisting of the proceeds of the license fees collected from the sale of automobile tags, the fuel oil taxes, the motor vehicle license taxes, the mileage taxes and other taxes, which are appropriated by law for the support and maintenance of the state highway department, and for the construction and maintenance of the state-wide system of roads, and which funds can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created a public school equalization fund, consisting of 1 cent per gallon on the tax on fuel oils, which is continuously appropriated for such purpose, and which can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created a game and fish protection fund for the support and maintenance of the Department of Game and Fish, consisting of the proceeds of the sale of hunting licenses and other fees collected by said department, which funds are continuously appropriated for such purpose, and which can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created a fund for the support and maintenance of the banking department, the Public Service Commission, the Department of Forestry and the Department of Industrial Relations, the departments and boards regulating the several professions and for the consolidation and development of the naval stores, consisting of assessments and fees collected by such departments and agencies of the state, including the special tax on dealers in forest products, which is set aside for the support of the Department of Forestry all of which funds are continuously appropriated for the support and maintenance of such departments and agencies of the state, and which can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created special funds for the support and maintenance of other departments and agencies of the state, which funds consist of fees and other special taxes levied for the support of such departments, boards, bureaus, institutions and agencies, and which are continuously appropriated for such purpose and can be used for no other purpose; and

Whereas, the general assembly has heretofore, by legislative enactment, created a special fund to aid in the establishment and maintenance of consolidated schools, consisting of four hundred thousand dollars (\$400,000), each year, of the poll tax collected and paid into the treasury, which the constitution provides shall be set apart and devoted for the support of the common schools, and which said fund is continuously appropriated for such purpose, and can be used for no other purpose; and

Whereas, the salaries of the judges of the supreme court, the justices of the court of appeals, the judges of the superior courts and the solicitors general are fixed by the constitution of this state, and can be neither increased nor diminished during their respective terms of office; and

Whereas, the salaries of the governor and other constitutional officers are fixed by law, pursuant to the provisions of the constitution, and can be neither increased nor diminished during their respective terms of office; and

Whereas, the general assembly has heretofore provided, by legislative enactment, for the payment of the salaries of all officers whose salaries are fixed by the constitution and laws, and has made a continuing annual appropriation for such purpose; and

Whereas, the various provisions of law heretofore referred to constitute

the meaning of the constitution of this state, meet and satisfy the requirements of the constitution, and render further legislative action unnecessary; and

Whereas, the general assembly has heretofore, by legislative enactment, made appropriations for the support of the state government and the various institutions and agencies of the state for the years 1932 and 1933 and for the years 1934 and 1935; and

Insufficient Funds.

Whereas, on account of the insufficiency of the revenue available for the payment of such appropriations, the same were not paid in full, but there now remain unpaid of such appropriations the following percentages: for 1932, eleven and one-half per cent (11 1/2 per cent); for 1933, twenty-nine per cent (29 per cent); for 1934, twenty-one and one-half per cent (21 1/2 per cent); and for 1935, twenty per cent (20 per cent); twelve and one-half per cent (12 1/2 per cent) of which has been paid since January 1, 1936; and

Whereas, said acts of the general assembly making said appropriations have been repealed, altered or modified, but remain in full force and effect; and

Whereas, the amounts so appropriated for the years 1932, 1933, 1934 and 1935, and remaining unpaid have not lapsed by virtue of any failure of requisition, for the reason that funds for the payment of such appropriations have not been placed in the state treasury; and

Revenue Available.

Whereas, there being no legislative enactment making appropriations for such departments, boards, bureaus and agencies of the state for the year 1936, any revenue coming into the state treasury after January 1, 1936, not otherwise appropriated to one of the objects hereinbefore mentioned, is revenue available for the payment of such appropriations within the meaning of the acts of the general assembly making such appropriations; and

Whereas, such legislative enactments making appropriations for the years 1932, 1933, 1934 and 1935 constitute appropriations made by law within the meaning of the constitution of this state, meet and satisfy the requirements of the constitution, and render further legislative action unnecessary; and

Now, therefore, in order that the essential functions of the state government may be continued, and in order that the interests and welfare of the people of the state of Georgia may be protected, I, Eugene Talmadge, Governor of the state of Georgia, do hereby order and proclaim as follows:

1. That the amounts of the several special funds heretofore referred to and appropriated by the general assembly, by legislative enactment, for the support of the various departments, boards, bureaus and agencies of the state, and continuously appropriated for such purposes, be made available for and during the year 1936, as such funds are collected, for the purposes herein referred to, for which such appropriations are made.

Officers' Salaries.

2. That the sum of the salaries of the various public officers of this state, including the officers of the executive and judicial departments, whose salaries are fixed by law, be made available for the purposes herein referred to, for which such salaries as the same become due and payable.

3. That the amounts heretofore appropriated, by legislative enactment, for the support of the various departments, boards, bureaus, institutions and agencies of the state for the years 1932, 1933, 1934 and 1935, and remaining unpaid, be made available for the support and maintenance of such departments, boards, bureaus, institutions and agencies of the state during the year 1936, as revenue for the payment thereof is received. Any provision in any executive order heretofore entered in conflict with this executive order is hereby cancelled, rescinded and annulled.

Credits Ordered.

4. That the state treasurer and comptroller general set up on their books, to the credit of the various departments, boards, bureaus, institutions and agencies of the state for the year 1936 the amount of the special allocations and appropriations heretofore referred to, where any such department, board, bureau, institution or agency is supported by special funds provided by legislative enactment for such purpose, and upon warrants of the Governor issued pursuant to approved budgets as now provided by law.

5. That the state treasurer and comptroller general set up on their books, for the year 1936, to the credit of the other various departments, boards, bureaus, institutions and agencies of the state which are not supported and maintained by special funds provided by legislative enactment, the amount of the salaries of the public officers of such departments, whose salaries are fixed by law, and the amounts remaining unpaid of such departments, as heretofore referred to, for the support and maintenance for the years 1932, 1933, 1934 and 1935.

Provided, that no such amount shall be set up on account of any unpaid appropriation for either of said years of any institution which has been abolished or the operation of which has been discontinued;

Provided further, that the amount so set up for the support of any such department, board, bureau, institution, or agency exceed the amount appropriated for the support and maintenance of such department, board, bureau, institution, or agency for the year 1936. Said amounts so set up shall be disbursed to such departments, board, bureaus, institutions and agencies of the state upon warrants of the Governor issued pursuant to approved budgets as now provided by law.

6. In no event shall the amount paid or available to any department, board, bureau, institution, officer or agency of the state, whether referred to in paragraph four of this order or paragraph five of this order, exceed the amount appropriated for the support and maintenance of such department, board, bureau, institution, officer or agency for the year 1936.

Subject to Cuts.

7. The several amounts herein provided to be set up for the support of the various departments, boards, bureaus, institutions and agencies of the state shall be subject to reduction by further

executive order in the event of any deficit of revenue available for the year 1936, to pay the same, and in the proportion that the amount of any such deficit bears to the amount so set up, provided, that this paragraph shall not apply to the items excepted in Section 28 of the Act of the general assembly approved March 24, 1935, from the operation of that section.

In witness whereof, I, Eugene Talmadge, Governor of the State of Georgia, have set hereto my hand and seal of the State of Georgia to be hereunto affixed at the state capitol, in the city of Atlanta, Ga., this 17th day of February, in the year of our Lord one thousand nine hundred and thirty-six.

EUGENE TALMADGE, Governor.

Yeomans' Opinion On State Finances

The opinion of Attorney General M. J. Yeomans, upholding the legality of Governor Talmadge's appropriations proclamation, follows:

"My Dear Governor:

"Answering your inquiry of even date, I am of the opinion that under the facts stated in your proposed proclamation and executive order, copy of which is hereto attached, that you, as Governor, will be authorized to draw warrants upon the treasurer payable to the various institutions, departments, boards, bureaus and agencies of the state for the year 1936, and maintain for 1936, as funds are available under budgets properly approved by the budget commission, of which you are chairman, as provided by law, and that the comptroller general will be authorized to honor them, and that the state treasurer will be authorized to honor them, and that the state treasurer and their bondsmen will be without liability. (Signed) M. J. YEOMANS, Attorney General, State of Georgia."

RAIL LABOR TO FIGHT PLANS OF EASTMAN

WASHINGTON, Feb. 17.—(AP)—Representation of organized railroad labor lined up today against Joseph B. Eastman's first move to compel action on certain of his plans for rail co-ordination.

The federal transportation coordinator announced recently he intended to issue orders forcing railroads to carry out terminal unification projects in 11 cities.

Members of the three regional labor committees created under the emergency transportation act, a spokesman said, plan to oppose all the projects at a meeting with Eastman tomorrow.

NEW MINING PROCESS FOR BARITE REPORTED

NEW YORK, Feb. 17.—(AP)—A mining process for the white mineral barite, which promises to enhance the wealth of seven states, was reported to the American Institute of Mining and Metallurgical Engineers today.

The states are Georgia, Tennessee, South Carolina, Virginia, Missouri, Arizona and California. The new process is flotation, something old in mining, but never before applied to barite.

Barite is used to manufacture lithopne which is employed extensively in making linoleum, rubber tires and white pigment. It also makes barium chemicals.

William Boyd Is Star In 'Bar 20 Rides Again'

"Bar 20 Rides Again," exciting western drama now playing at the Capitol theater, is a colorful and riotous story of the old west. The picture is the most recent of the finest series in the "Hop-along Cassidy" series, William Boyd, cast in the leading role, rescinded.

Theater Programs.

Picture and Stage Shows

CAPITOL—"Bar 20 Rides Again," with William Boyd, Jimmy Ellison, etc., at 1:30, 2:30, 3:30, 4:30, 5:30, 6:30, 7:30, 8:30, 9:30.

"Happy Go Lucky" on the stage, at 1:30, 4:15, 6:45, 9:27. Newswell and short subjects.

First-Run Pictures

FOX—"The Littlest Rebel," with Shirley Temple, John Boles, etc., at 1:34, 2:34, 3:34, 4:34, 5:34, 6:34, 7:34, 8:34, 9:34. Newswell and short subjects.

GEORGIA—"Shipmates Forever," with Dick Powell, Ruby Keeler, etc., at 1:00, 2:00, 3:00, 4:00, 5:00, 6:00, 7:00, 8:00, 9:00. Newswell and short subjects.

LOEWS' GRAND—"Rose Marie," with Jeanette MacDonald, Nelson Eddy, etc., at 1:14, 2:14, 3:14, 4:14, 5:14, 6:14, 7:14, 8:14, 9:14. Newswell and short subjects.

PARAMOUNT—"The Milky Way," with Harold Lloyd, Dorothy Wilson, etc., at 1:38, 1:58, 3:38, 5:38, 7:38, 9:38. Newswell and short subjects.

RIALTO—"Woman Wanted," with Joel McCrea, Maureen O'Sullivan, etc., at 1:32, 1:52, 3:32, 5:32, 7:32, 9:32. Newswell and short subjects.

Neighborhood Theaters

ALPHA—"Shadow of Silk Lenox," with Lon Chaney Jr., with Lyle Talbot.

AMERICAN—"Murder in the Glades," with Lyle Talbot.

BANKHEAD—"Vagabond Lady," with Lyle Talbot.

BUCKHEAD—"Hands Across the Table," with Lyle Talbot.

CASCADE—"One Night of Love," with Grace Moore.

COLLEGE—"This Is the Life," with Jane Withers.

DEKALB—"Night Out," with Irene Hervey.

EMPIRE—"Alone Adams," with Katharine Hepburn.

FAIRFAX—"In Old Kentucky," with Lyle Talbot.

FAIRVIEW—"Champs for Breakfast," with Mary Carlisle.

HILL—"Loretta," with Lyle Talbot.

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STRAW—"Shadow of Silk Lenox," with Lyle Talbot.

NEW HARBOR—"Public Enemy No. 1," with Lyle Talbot.

NEW LINCOLN—"The Lives of a Bengal Lancer," with Lyle Talbot.

The Best GRAY HAIR Remedy is Made at Home

YOU can now make at home a better gray hair remedy than you can buy, by following this simple recipe: To half pint of water add one ounce bay rum, a small box of Barbo Compound and one-fourth ounce of glycerine. Any drugstore can put this up for you or mix yourself. It costs very little. Apply the hair twice a week until the desired shade is obtained. Barbo imparts color to streaked, faded or gray hair. It is soft and glossy and takes color of your locks. It will not color scalp. It is not sticky or greasy. It does not rub off.

is supported admirably by such favorites as Pimmy Ellison, Jean Reuverol, George Hayes and Frank McGlynn Jr. The plot is based on the Clarence E. Mulford stories of the open plains and the men that ride them. It tells a stirring story of how "Hop-along" subdues a notorious outlaw who has a hideout in the wild country.

When the outlaw prays on Jim Arnold at the SV ranch and Jim appeals for aid, "Hop-along" and his young riding mate take the situation in hand. There is a touching love story between Johnny Nelson, the young riding mate, and Jim Arnold's daughter. In "Hop-along's" fight with the rustlers there are many scenes of blood and thunder and the play has a strong climax.

The Capitol also offers "Happy Go Lucky," a variety show with 25 performers and a nationally known swing band. Among the entertainers are the Rex family, a trio of outstanding juvenile acrobats; Comedy Lido, sensational comedy cyclist; Lillian Kershaw, dainty toe tap dancer, and Bill Godbey, the king of eccentric dancers.

Lenox Park Completed Improvements Beautifully Maintained

RElock 6371



CHARLIE CHAPLIN MODERN TIMES

STARTS FRIDAY DOORS OPEN 10 A. M. FOR THIS ENGAGEMENT USUAL "LOEW'S" PRICES

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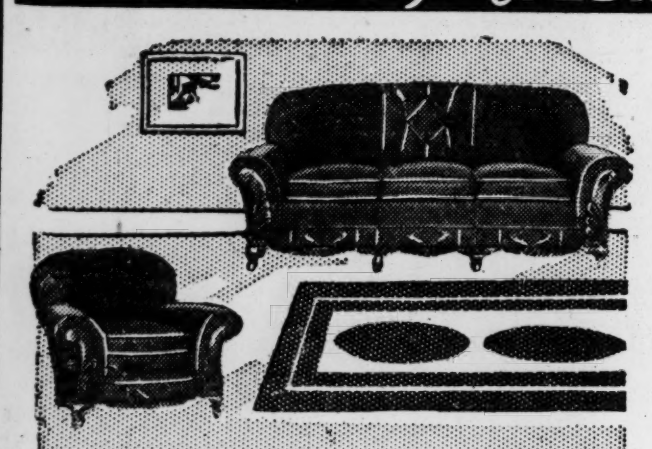
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BARGAIN WEEK in HAVERTY'S Great FEBRUARY SALE!



A Roomful of Furniture—10 Pieces

Included in This Group:

- Sofa
- Club Chair
- Occasional Chair
- Bridge Lamp
- 2 Walnut End Tables
- 2 End Table Lamps
- Smoking Stand
- Walnut Coffee Table

Imagine getting your living room furnished for only \$79. You save in all departments at Haverty's Special for Bargain Week.



Your Bedroom Complete—8 Pieces

Included in This Group:

- Bed
- Chest
- Vanity
- 2 Feather Pillows
- 2 Bed Table Lamps
- Smoking Stand
- Walnut Coffee Table

Be sure to see this outstanding value at Haverty's tomorrow and profit by buying during our Great February Sale.



This Low Price Smashes All Old Value-Giving Records

The latest arrival of the season's newest fashion, is the attractive modern suite. Deep cushions filled with soft, rest-giving springs insure ultra-comfort. The cover is heavy, sturdy, closely woven to insure satisfactory service. See this value today. You'll be surprised at so much quality for such a low price.



Judge Values in Our February Sale---By This Great Value

Just as pictured, this English type Dining Room Suite. Finished in lovely Jacobean walnut. This price includes the Table, Buffet and six Chairs. China only \$19.95 extra.

Powerful Oil Stove and Oven

More heat using less fuel is the feature of these New Oil Ranges. Attractive green and ivory color. Your powerful burners exactly as pictured. Oven included free.

Pay only \$1.50 Weekly

Cheshire Garden Club Honors Mrs. Watkins At Reception

Mrs. Nathaniel Watkins, the retiring president of the Cheshire Garden Club, was honored guest at a reception and tea given by the club membership on Friday at the home of Mrs. Victor H. Krieger on Cheshire Bridge road. The club colors pink and green, were used in the decorations, and an initial pin was presented to Mrs. Watkins. Mrs. Walter A. Sims made the presentation speech.

Little Miss Jane Meadows entertained the guests with tap dancing and the hospitality committee, Mrs. Ernest Cresse and Miss Carrie Mae Cheshire served refreshments in the dining room. The table was overlaid with a lace cloth and roses formed the centerpiece.

February meeting of the Cheshire Garden Club was held at the home of Mrs. Zode Smith on North Rock Springs road. Mrs. Lyman J. Morris, chairman of program, presented Miss Marian C. Krieger, who talked on "Important Facts to Be Remembered in Flower Arrangement" and showed pictures illustrating the talk.

Little Clara Melton Gives Recent Party.

Among interesting social events was the beautiful Valentine party on Thursday given by little Clara Melton, lovely young daughter of Mr. and Mrs. Eldridge Melton, who entertained 36 of her schoolgirl playmates at her home on Gordon street. Valentine decorations were used in the rooms where the guests assembled. The color scheme of red and white added to the occasion and in the dining room the lace-covered table had as its centerpiece a large Valentine box from which each child received tokens and favors.

Games were enjoyed, prizes being won by Jane Sewell and Geraldine Ballard. Mrs. Melton was assisted in entertaining by Misses Martha Lee King and Virginia Orr. Mrs. Cora Jones Phillips, grandmother of little Miss Melton, was honor guest. Guests were Misses Alma Atkinson, Dorothy Benson, Avis Browning, Geraldine Ballard, Hazel Cook, Virginia Felton, Ruth Ford, Dorothy Francis, Betty Frink, Betty Greenoe, Dorothy Gresham, Barbara Hanson, Margaret Irby, Betty King, Martha Lee King, Madge Lancaster, Dorothy Lanford, Miriam Lee, Joyce Matthews, Margaret McCole, Emily McWilliams, Virginia Nace, Claudine Nash, Margaret Norris, Barbara Orr, Helen Orr, Virginia Orr, Nancy Perry, Lucile Prichett, Jane Sewell, Kathleen Wade, Katherine Williamson, Mary Virginia Wolf, Betty Wood and Beulah Wright.

Annette Spinning Is Party Hostess.

One of the enjoyable Valentine parties was given by little Annette Spinning at her home on Friday for the Julia Jackson Chapter Children of the Confederacy. Invited from the mother chapter were Mesdames Forrest Kibler, W. P. Dykes, Odie Poundstone and J. N. Bateman. The program subject, "Georgia," was treated in an interesting manner, which surprised the visitors with the actual knowledge and historical study these children are gaining through their work in the chapter. A review of the work accomplished this year given by the president, Annette Spinning, aroused praise and enthusiasm. An amateur hour was conducted by George Kurtz and the tea table full of lovely surprise Valentine gifts, was rolled in and each guest received one. In the center of the dining table the punch bowl was surrounded with dainty little red and white gumdrop nosegays. Similar nosegays hung from the side of the bowl, giving the effect of a huge nosegay. The lace-covered candlesticks held burning white tapers and nosegays were used as favors.

Miss Isabell Smith.

Miss Kathleen O'Keefe and Miss Beatrice Butzon entertained at a miscellaneous shower on Saturday afternoon at the home of the latter on North Boulevard, complimenting Miss Isabell Smith, bride-elect of February.

The house was appropriately decorated with hearts and cupid and the refreshments also effectively carried out the Valentine motif.

Two clever and original contests were features of the entertainment, the prizes being in keeping with the Valentine season. First prize was won by Mrs. Godfrey Hoch, with the booby prize being won by the mother of the honor guest, Mrs. R. H. Smith.

Miss O'Keefe and Miss Butzon were assisted in entertaining by Mrs. T. J. O'Keefe and Mrs. E. J. Butzon. The guest list included Misses Isabell Smith, Beatrice Butzon, Mary Patrick, Hilda Callahan, Ida Rosen, Ethel Cui, Sarah Rosen, Lydia Comanore, Kathleen O'Keefe and Beatrice Butzon and Mesdames Robert H. Smith Jr., J. T. Hasty, C. R. Miller, Godfrey Hoch, K. Bridges, R. Thornhill, T. J. O'Keefe and H. J. Butzon.

Friendly Twelve Club.

Mrs. H. E. Royal entertained the Friendly Twelve Club recently at her home on Hartford place. After a short business meeting coffee was served, prizes going to Mrs. J. H. Kirk and Mrs. C. T. Everett. Those present were Mesdames G. O. Banc, C. E. Everett, P. J. Wilbanks, B. D. McClelland, T. H. Stallworth, J. H. Kirk and S. F. Gloss.

For Quick Cough Relief, Mix This Remedy at Home

No Cooking! No Work! Real Saving!

You'll never know how quickly a bad winter cough can be relieved until you try this famous recipe. It is used in more homes than any other cough remedy, because it gives more prompt, positive results. It's no trouble at all to mix and costs but a trifle. Into a pint bottle, pour 2½ ounces of Pinex; then add granulated sugar syrup to make a full pint. Syrup is easily made with 2 cups of sugar and one cup of water, stirred a few moments until dissolved. No cooking needed. This gives you four times as much cough medicine for your money, and it's a much better remedy. It never spoils and tastes fine.

Instantly you feel its penetrating effect. It loosens the phlegm, helps clear the air passages, and soothes the irritated membranes. This three-fold action explains why it brings such quick relief in distressing coughs. Pinex is a concentrated compound of Norway Pine, famous for its soothing effect on throat membranes. Money refunded if it doesn't please you in every way.

Attractive Savannah Visitor



Miss Elizabeth Glover, of Savannah, charming young belle who is being delightfully entertained as the guest of Mrs. Fred Cockrell at her home on Pace's Ferry road. She will be an attendant in the wedding of Miss Alice Berry and Martin Condon III, which will be a brilliant event of February in Nashville, Tenn. Staff photo by George Cornett.

Garden Hills Club Gives Washington Tea on Wednesday

A George Washington tea will be given by the Garden Hills Woman's Club on Wednesday from 3 to 5 o'clock at the clubhouse on East Wesley avenue, and friends are invited. A novel feature will feature a "cherry tree" sale, and cherries will be in packages valued from 10 to 25 cents and will be sold for the benefit of the club.

A musical program has been arranged featuring Mrs. Roger Martin and Mrs. C. W. McMillan as soloists; the May trio, composed of Miss Julian May and Henry Bak and Arthur I May Jr., well-known saxophone, violin and piano entertainers, and a group of Miss Nancy Keeler's pupils will give several numbers.

Mrs. Ernest Rodgers is in charge and will be assisted by the executive board, composed of Mesdames E. E. Limbaugh, C. O. Johnson, F. R. Davis, Harry T. Adams, Everett Murphy, J. S. Huff, H. O. Hoffman, J. H. Crockett, L. A. Brannon, A. O. Ohl, Haver, B. C. Settle, Charles Brooks, R. H. Johns, W. L. Ballenger, A. C. Crandall, W. O. Pierce, Harold Hoover, E. Treadwell, George Knapp and Phil Trimble.

Mayfair Club Gives Dance Tomorrow

The Mayfair Club members will give a bowery dance at 9:30 o'clock Wednesday evening in the Pompeian ballroom of the Biltmore hotel. The ballroom will be decorated in colorful and attractive decorations apropos of the occasion, and the members will be attired in fancy dress.

Attractive invitations were issued featuring a novel jack-in-the-box with a slip of paper enclosed, and on this was written: "We are just popping up to tell you about the Mayfair bowery dance."

The entertainment committee is composed of Floyd Brandes, chairman; M. A. Greenblatt, J. Cohen, Sol Klotz and Dr. Harry L. Cohen. Club officers are Simon Mendel, president; Joseph M. Brown, vice president; Moses N. Kaplan, treasurer; Max A. Feldman, secretary.

Total membership of this leading Jewish club numbers nearly 170 and the organization is considering construction of a private clubhouse in the near future.

Meeting Is Changed.

On account of illness in the home of Mrs. L. E. Fain, 1210 Fairview road, the Women's Union Bible Club will meet at the usual place in the Wesley Memorial church at Auburn avenue and Ivey street on Wednesday at 10 o'clock.

Press Institute Is Inspiration For Social Affairs in Athens

ATHENS, Ga., Feb. 17.—President Harmon W. Caldwell, of the University of Georgia, will entertain delegates to the ninth annual Georgia Press Institute and Watson Davis, director of science service, who will deliver the first institute address Wednesday evening after the opening session. President Caldwell's dinner will be the first of several social functions planned in connection with the institute, which will attract several hundred members of the state's fourth estate.

On Friday The Constitution will give a luncheon for Webb Miller, whose appearance this paper will sponsor on Friday morning. On Friday evening the Savannah Morning News and Evening Press will entertain at a gridiron dinner, at which the women will have their say. Miss Emily Wood, ward, of Vienna, founder of the Press Institute, will be toastmistress. After dinner the institute guests will dance with the University of Georgia cadets at their annual military ball.

The soldiers' hop will be a colorful occasion. Miss Mary Bach, of Atlanta, will make history by leading the grand march for the second time. She will be the honorary cadet colonel of Cadet Colonel Dan Bowden, of Atlanta, of the R. O. T. C. unit. Flying above

Miss Mary Wellborn Will Be Honored At Tea Wednesday

Miss Mary Wellborn, a fete bride-elect of next week, will be honored at the tea at which Mrs. Walter Wellborn will entertain on Wednesday afternoon from 4:30 to 5:30 o'clock at her home at 80 Pallades road.

Seventy guests have been invited and the hostess will be assisted in entertaining by her daughter, Miss Julia Wellborn, and by Misses Hollis Rawson and Carol Ingram. Mrs. Henry W. Grady will pour tea.

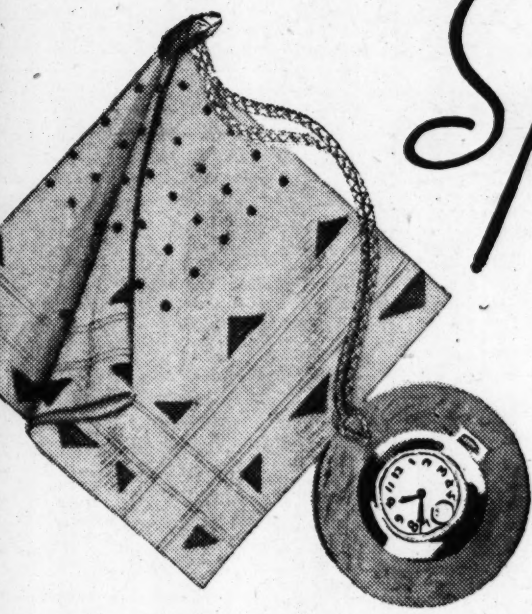
Miss Wellborn has been complimented at a series of beautiful parties since the announcement of her engagement to Linton Hopkins Jr. She leaves on Friday for Aniston, Ala. to join her father, Maximilian Wellborn, at their home there until after her marriage, which will be a brilliant event of next Tuesday evening. Many Atlanta friends are planning to motor over for the ceremony, which will be performed at the Grace Episcopal church in Aniston.

Pi Kappa Alpha national fraternity. He is connected with the forestry department of the United States Department of Agriculture in Flagstaff, where the young couple will reside.

Tuesday Is Fashion Day at Rich's—Models in the Tearoom From 12 Till 2

Spring Complements must be gay

It's no longer a case of "follow the fashion," it's "chase the fashion," for it has gone wild over a burst of color. Like a holiday splurge, it is, with carrot and Biarritz green, and Deauville red, and sulphur yellow, and chaudron, and dusty pink. So fair lady, pop your head through a reckless blouse, stick your hands into mauve or green. Rake up a surprise clump for the buttonhole, snatch a kerchief. Pat yourself on your well-tailored back and dare anyone to call a halt.



Upper left, wisp of grey linen kerchief with green, red, brown or navy design. Contrast for the tailored suit 50c

Upper right, the fob watch with a rim of tortoise shell. 7-jewel Swiss it is, with a year guarantee. Perfect for the tailor 7.95

Lower left, gay as an old-fashioned garden, these patent flowers, fruit or vegetables for the buttonholes. Every color, every arrangement 59c

Lower left, Kislav gloves of combination green and beige or red and white do-skin. As bright and new as this colorful season ... for sizes 5½ to 7 3.98



Extreme left, The "Margot" ruffle at the throat of a suedeskin blouse. Dusty pink, shirting blue and white. 32 to 38. Wear it in or out. 5.98

Left, Shirt effect with stitched collar, cuffs and pocket. Crystal buttons for young hearts. Dusty pink, shirting blue and white. 32-38. 5.98

Extreme lower left, The shirtwaist, love of casual dressers, with pearl stud front. Darts go to pockets. All of spring's glorious colors. ... 5.98

Lower left, Gay '90 sleeve effect in suedeskin with contrast "fiflets" down front. Peplum effect, too. Colors, grey with red, sulphur and navy, green and black 5.98

Upper right, Big shiny or dull kid bag with unstitched pleats, perfect fittings, and gold etchings. Blue or black 10.00

Right, step into a Spectator Gillie Shoe in Chaudron brown or with white buck and leather brown trim. Leather heels. 10.75

Lower right, Blistered taffeta scarf in ascot style, scotch plaid and as a suit or coat complement it's right 2.98

Accessories

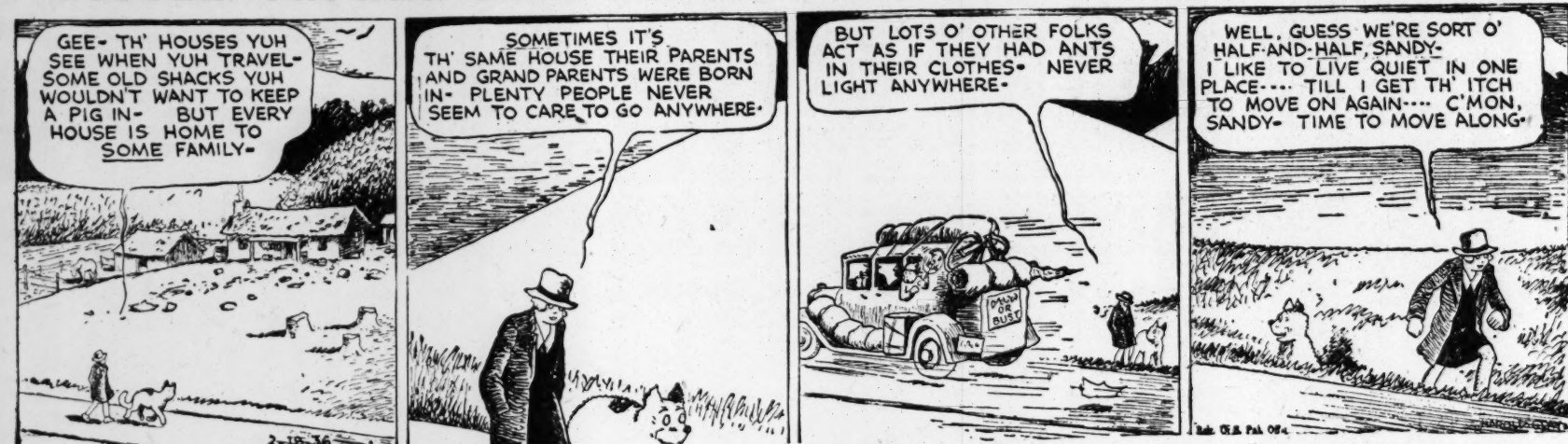
Street Floor

Rich's

THE GUMPS—A LITTLE ENCOURAGEMENT (VERY LITTLE)



LITTLE ORPHAN ANNIE—SOME THOUGHTS WHILE STROLLING



MOON MULLINS—SOME COUNTRY



DICK TRACY—EASY PAT



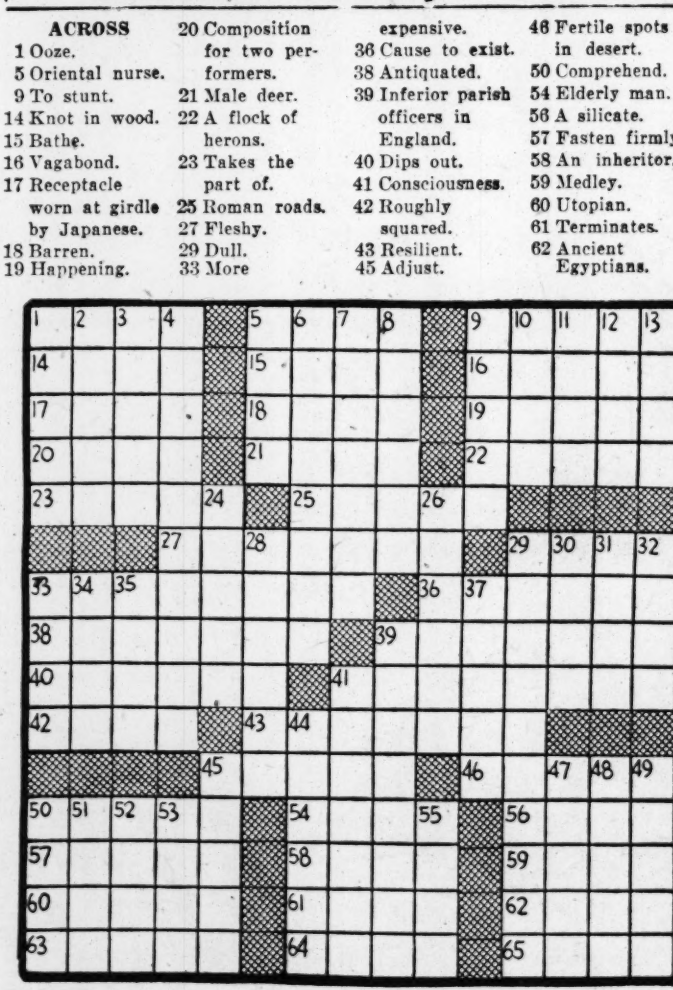
SMITTY—THE REWARD OF LOYALTY



WINNIE WINKLE, THE BREADWINNER



Constitution's Daily Cross-Word Puzzle



-MYSTERY HOUSE-

By KATHLEEN NORRIS

INSTALLMENT XX.

Page watched in a dream. She could hear the rain hammering on the roof; when there was a shaft of light on the screen she could dimly sense the breathing presence of her companions—Flora and Mrs. Prendergast, who sat like statues, and Rand, who had dropped his hand over Page's hand and was holding it tight.

She had let him hold her hand before this, when they were watching the nightly picture show. Tonight her fingers returned the pressure almost without her consent, almost in spite of herself. He was so strong, so courageous, she needed him so in this hour of vague terror and bewilderment! It was Rand who would rescue her tomorrow morning, rescue her from fear.

At intervals all through the picture, and afterward, when she was in her room undressing, Page mused on the words of young Barnes Bishop over the telephone, and tried to remember the meaning that he and she had conspired to give them at that long-ago luncheon in the little Italian restaurant.

"Betty," in their hastily arranged code, had been their name for Mrs. Mockbee, that was certain. But then what did he mean by saying that they had gone to Betty's and that she had not been at home? Betty not at home? Betty was buried—Page felt a shudder run over her as her thoughts reached this point—in Halfmoon Bay cemetery, just where the road turned up the hill.

Betty was not at home. And "gingerbread"? yes; "gingerbread" was danger. Paige suddenly remembered. "I remember he took that word because it has the letters of 'danger' in it, the idiot! Perhaps he was trying to ask me if I thought I was in any danger? Suppose I had said yes, I did want the gingerbread recipe, what would he have done? Coming here with a lot of policemen just because Lynn didn't show up for dinner?"

She was ready to get into bed when there was a knock on her door from Flora's room.

"Come in," Page said. The door opened, and Rand came in.

Page, clad in her warmest pajamas, reached instinctively for her fright, its padded dark blue folds were about her as she turned with a flush and a smile.

"Rand, I thought of course it was Flora."

"She's in with the duchess. I had to speak to you," she said.

"Well," Page said, not quite at ease, but sitting down on her bed, facing the big empty chair that stood beside it.

Rand ignored the chair; instead he sat close behind her on the bed and drew her to him. The girl felt her shoulders stiffen and her whole body instinctively drew away; her heart beat fast; there was something frightening in Rand's manner and his voice.

"Page, I think we ought to finish up this nonsense," he said quickly. "You've got to promise to marry me. I've not much to offer you—but I'm going to get out—I'm going away, and before I go I want to know that you'll not marry anyone else."

Page pushed against him with all the might of her strong young arms. "Please! Don't be so crazy, Rand! You're all I have to depend on; don't fail me now!"

"I'm not failing you," he said. "Let's go away tomorrow and never come back—let them work it out their own way!"

Page, panting, wrenched herself free now; breathless and shaken, she walked away, looking back at him over her shoulder.

"I think you are losing your mind," she said. At Flora's closed door she paused, her back to Rand. After awhile she heard him move; he came closer to her, but did not attempt to touch her.

"I'm sorry," he said. "But there are things in all this—things about Lynn and the diamonds and Trudy Mockbee's death—that you don't understand. And I can't tell you about them! But it's not too late. You and I could go away. I would be happy to make good—if I had you to help me. We could go to China."

Page presently went out to the sun-washed terrace, and looked along the cliffs and down at the sea, hoping that Lynn's tall, loose-built figure might be in sight somewhere, she looked toward his cabin, but the door was closed and the place gave no sign of being occupied.

Upstairs in Mrs. Prendergast's room the conversation had in its flavor of a last time. Rand, with his suit-

case, coat and gloves, came in to say goodbyes.

"Ready, young woman?"

"All packed. Is the door open?"

"Just. One of the boys came over 10 minutes ago to say that it was all clear. Well, Duchess, Rand said, leaning over her chair to put a quick brush of his cheek and kiss against her grizzled hair, 'I'll be back tomorrow morning at about 11, and we'll go in for the big exodus. I told you that Lynn had telephoned early this morning—2 o'clock it must have been. At least I'm sure it was Lynn. I can't think of anyone else it could have been. "Get your bags, Page."

The girl made her good-byes prettily and briefly. Rand watching her while. "We'll all be together again on Saturday; meet you in Sacramento." So it really to Mystery House that I'm saying good-bye."

Flora said: "I'll go down to the door with you."

They threaded the endless corridors together, Page, Rand and Flora, and came out upon the sunny terrace below. Tai Fat was putting Page's big bags into the car whose chugging of another motor sounded on the drive, and to every one's amazement a second car came briskly into view between the laurels and the evergreens. A visitor at Mystery House!

The car stopped and a young man jumped out and ran up the terrace steps. Page gave an exclamation of amazement. It was Barnes Bishop Jr.

"Hello," he said. "Hello, Miss Hazelyne! Going places? I just caught you!"

Page, in a sort of dream, performed introductions. Rand was the first to speak.

"You'd you get through?" he asked. "Usually the Japs give us some warning. We might have missed you."

"Oh, there were a lot of country cars, road builders and other workmen over there," Barnes answered easily. "They were testing the bridge when I came along and I followed the truck right through. Some storm we had down here last night! Well, he added to Page, as he twisted himself about to look up at the walls above him, "you told me about this, but I didn't believe it! Some dwelling!"

"You were lucky to catch us," Rand said. "We were just starting for San Francisco."

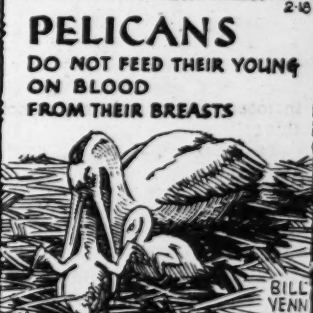
"Then I might have spared myself three of the nastiest hours of driving that anyone ever had!" Barnes said. "I want to speak to Miss Hazelyne a moment and then we can all start back. I came to get you," he said, drawing Rand aside. Rand and Flora turned indoors. "I don't like this outfit. I lay awake all night worrying about you. Did you get my 'gingerbread' class?"

Continued Tomorrow.

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The DEBUNKER

By John Harvey Farley, Ph.D.



Many pieces of art have depicted the mother pelican opening her breast to feed her young on her own warm blood. This picture has even adorned several noble coats of arms, and was a hieroglyphic of piety among the Egyptians. Poets have included the idea in their writings. Pelicans, however, never do any such thing. They often fill their large beaks with fish and then open the mouth for the young ones to crawl inside and eat the fish. The lower beak, which is very large, could look like an opening in the breast when it is pressed against the breast feathers and may have led to this false idea about pelicans.

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UNCLE RAY'S CORNER

VISITS IN CALIFORNIA.

II—Early Explorers and Big Trees. While I was riding across San Francisco bay aboard a ferryboat, a fellow passenger pointed out a building on an island. "That," he said, "is Al Capone's palace."

The building, in fact, was Alcatraz prison. It is believed to be a place from which no convict can escape. The name Alcatraz is Spanish, and means "pelican"—in early days large numbers of pelicans were seen flying about the island. Another island in the bay once had a Spanish name meaning "Our Lady of the Angels," but now it is known as Angel Island.

have no proof of any ship sailing through the Golden Gate until six years after the overland party reached the bay.

Portola saw trees of great size during his journey, and gave them the name of "Palo Colorado," meaning "red tree" or "redwood." An extra-tall tree was noticed at one spot and was called "Palo Alto," meaning "high tree." That tree grew at or near the site of the present town of Palo Alto.

The redwoods of California remain to this day among the great sights. Most of them grow within easy range of the ocean coast. They stand straight and tall. In addition there are other giant trees of the pine family which grow about the sides of inland mountains and high hills, the chief forests being in Sequoia and Yosemite parks.

During a visit to beautiful Golden Gate park, I went into a museum and there saw a section of a Sequoia tree. Eighteen years ago, the tree fell to the ground—after having had a life lasting 1,710 years. It had reached a height of 330 feet, and its trunk was 16 feet thick when measured at a height of 10 feet above the ground.

That mighty tree started growing when the ancient Romans were under the rule of an emperor. It was alive when the Anglo-Saxons invaded Britain, when Leif Ericson's ship was blown out of its course to the coast of "Vinland," when Christopher Columbus dared to cross the dark Atlantic. It was a giant of the forest when Spaniards, Frenchmen and Englishmen were starting colonies in the New World. Perhaps it felt that it was old enough when it fell on a winter's day, 18 years ago.

(For Travel Section of your scrapbook.)

Seven Wonders of the World? Do you know what they are? Would you like to know more about them? If so, write up a May to ask for his "Seven Wonders" leaflet, and enclose a 3-cent stamped envelope addressed to yourself.

Uncle Ray

Tomorrow—San Francisco's Chinatown.

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AUNT HET

By ROBERT QUILLLEN.



"Movin' won't help Amy. Folks that can't be happy where they are now will find something to be unhappy about wherever they are."

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JUST NUTS

OUR NEW CHURCH IS HEATED WITH STEAM—ALL WE NEED IS A BELL FOR IT!

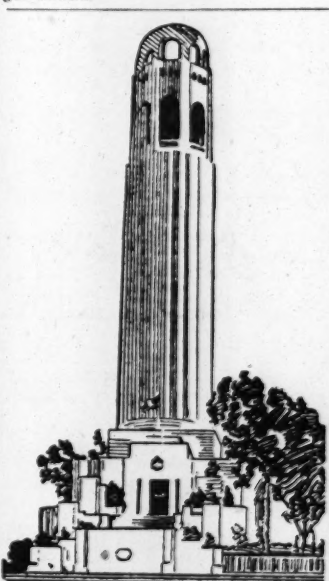
YOU SAY THE CHURCH IS HEATED WITH STEAM—WHY DON'T YOU PUT A WHISTLE ON IT?

BY G.P.



Solution to Yesterday's Puzzle.

PASTIME EMPRESS
ACCEDD QUICESTER
STALE ECU ESTER
CURL PROAL PINE
HAPIT ELITE OVEN
ATEN AEGIS NARE
LEDGE NOTEDLY
ESS NEF
SCALLOP TWIST
STEP IRISH ANTE
TENT PELEE SCAN
RATE SNAIL SLID
ALARMERA MAINE
STRAINS PLAINERS
SHELVES HOWLERS



Spanish explorers are the first whites who are known to have seen San Francisco bay. They came by an overland route from the south, and found what they called "a great arm of the sea which stretches toward the southeast farther than the eye can reach." These explorers were under the lead of Gaspar de Portola, but one of his men—Sergeant Ortega—is usually given credit for being first to see the waters of the bay. We

[illegible]

CURB TRADING HEAVY

| Close. | Sales (in 100s.) | Div. | High. | Low. | Close. |
|--------|------------------|-----------|---------|--------|---------|
| 27 1/2 | 22 St | O Ky (1) | 22 1/2 | 21 1/2 | 22 |
| 49 1/2 | 2 St | O Ohio | 26 | 26 | 26 |
| 36 | 2 St | O Ohio | 108 1/2 | 102 | 103 1/2 |
| 9 1/2 | 16 St | Pa wa L | 4 1/2 | 3 1/2 | 3 1/2 |
| 5 1/2 | 26 St | Fow & L B | 4 1/2 | 3 1/2 | 3 1/2 |

| | | | | |
|----|------------------------|----|----|----|
| 87 | 6 Staud S Ld (.01e) | 1 | 5 | 1 |
| 9 | 14 Starrett | 1 | 5 | 1 |
| 50 | 10 Starrett | 1 | 5 | 1 |
| 50 | 10 Steel Brew (.15e) | 5 | 52 | 3 |
| 50 | 7 Stuts Mot Am | 21 | 21 | 21 |
| 50 | 10 Sullivan Mach | 16 | 16 | 16 |
| 50 | 2 Sun Invest | 9 | 92 | 9 |
| 50 | 2 Sunray Oil | 38 | 38 | 38 |
| 50 | 22 Sunbeam M (B) | 10 | 10 | 10 |
| 50 | 2 Swiss A Bl pf | 64 | 64 | 64 |
| 50 | 78 Swiss C Corp (.20a) | 5 | 41 | 41 |

| | | | | |
|------------|---------------------|-----|-----|-----|
| T—T | | | | |
| 14 | 1 Tampa Bl (2.5a) | 394 | 394 | 394 |
| 14 | 3 Tastyrest A | 31 | 31 | 31 |
| 58 | 4 Taggart | 61 | 61 | 61 |
| 108 | 1 Tanglefoot | 29 | 29 | 29 |
| 58 | 1 Tean E-P at | 78 | 78 | 78 |
| 12 | 5 Tenn Prod | 11 | 11 | 11 |
| 12 | 5 Tenn Prod | 11 | 11 | 11 |
| 58 | 1 Texaco Co (.80) | 81 | 81 | 81 |

| | | | | | |
|----|------------------------------|--------|--------|--------|--|
| 29 | 1 Tonopah Belm | 41 | 41 | 41 | The general run of active stocks |
| 29 | 48 Trans-Lux (10g) | 41 | 41 | 41 | other groups were only mildly affected |
| 29 | 20 Tri-Cont war | 41 | 4 | 4 | by the jittery power and light sha |
| 24 | 17 Tubize Chat | 61 | 61 | 61 | and ended the session with gains |
| 11 | 8 Tubize Chat A | 29 1/2 | 28 1/2 | 29 1/2 | losses about equally divided. |
| 1 | 14 Tung-Sol Lamp | 13 1/2 | 13 1/2 | 13 1/2 | Transfers of 1,509,000 shares w |
| | -U- | | | | the largest since July 13, 1933 |
| 83 | 1 Unexcelled Mfg (10e) | 41 | 41 | 41 | |

| | | | | | | |
|--------|-----|------------------|--------|--------|--------|----------------------------------|
| 90 | 13 | Un Gas Can (10c) | 11 1/2 | 11 1/2 | 11 1/2 | compared with 839,000 Friday, |
| 4 1/2 | 79 | Union Tob | 2 1/2 | 2 1/2 | 2 1/2 | last previous five-hour session. |
| 3 1/2 | 62 | Unit Corp war | 2 1/2 | 1 1/2 | 1 1/2 | |
| | 287 | United Gas | 6 1/2 | 5 1/2 | 5 1/2 | |
| 2 1/2 | 10 | Unit Dry Dock | 1 1/2 | 1 1/2 | 1 1/2 | |
| 4 1/2 | 118 | Unit Gas war | 1 1/2 | 1 1/2 | 1 1/2 | |
| 20 1/2 | 7 | Unit Gas pf | 88 1/2 | 88 1/2 | 88 1/2 | |
| | 239 | Un Li & Pow A | 5 1/2 | 4 1/2 | 4 1/2 | |
| | 5 | Un Li & Pow R | 7 1/2 | 7 1/2 | 7 1/2 | |

| | | | | | | |
|----|------|------------------|----|----|----|--|
| 18 | 1 | Un Lt & P cv pf | 44 | 38 | 40 | steady. |
| | 1 | Un Prof Shs | 1 | 14 | 14 | No. 1, 180 to 240 |
| 57 | 3.25 | Unit Shoe M (2)a | 89 | 80 | 89 | No. 2, 150 to 180 |
| 7 | 14 | U S & Int Sec | 3 | 3 | 3 | No. 3, 130 to 150 |
| 9 | 2 | U S Dairy A | 2 | 2 | 2 | No. 4, 110 to 130 |
| | 2 | U S Dairy B | 1 | 1 | 1 | No. 5, 60 to 100 |
| | 253 | U S Elec Pow | 1 | 1 | 1 | Fat sows \$1.25 under smooth hogs |
| 37 | 325 | U S Elec Pow war | 1 | 1 | 1 | whatever weight basis they make, stage |

| | | ATLANTA | | STEERS AND HEIFERS. | | |
|----|----------------------|---------|-----|---------------------|-----|--------------|
| 9 | 5 U S Lines | 27 | 27 | 2 | 2 | |
| 9 | 1.50 U S Play C (1a) | 33 | 33 | 33 | 33 | |
| 12 | 1 U S Rad pf | 38 | 38 | 38 | 38 | Medium |
| 11 | 1 Unit Stores vtc | 1 | 1 | 1 | 1 | Fair |
| 82 | 26 Unit Verde (1a) | 81 | 81 | 81 | 81 | Plain |
| 73 | 36 Unit Wall Paper | 4 | 4 | 4 | 4 | Common |
| 8 | 2 Univ -Prod (1.20a) | 304 | 304 | 304 | 304 | |
| 13 | 2 Utah Apex M | 1 | 1 | 1 | 1 | Medium |
| | | | | | | COWS. |
| | | | | | | \$4.00 @ 2 |

| | | | | | | | | |
|----|------|------------------------|-----|-----|-----|----------------|-------|------|
| 48 | 1.50 | 1st P&L of (1.16 2-3K) | 584 | 584 | 584 | Fair | ..... | 3.50 |
| | | 23 Utility Equities | 5 | 44 | 44 | Common | ..... | 3.00 |
| 74 | | 1 Util Equit of (34) | 804 | 804 | 804 | Canners | ..... | 2.25 |
| 44 | | 213 Util P&L | 2 | 28 | 28 | | | |
| 10 | | 10.50 1st P&L of | 31 | 26 | 26 | Medium | ..... | 3.00 |
| 88 | | 18 Utility & Ind | 2 | 14 | 14 | Common | ..... | 2.25 |
| 3 | | 27 Util & Ind pf | 3 | 44 | 44 | | | |
| 74 | | -V- | | | | | | |
| | | | | | | Good to choice | ..... | 3.50 |
| | | | | | | Medium | ..... | 3.00 |
| | | | | | | BULLS. | | |
| | | | | | | CALVES. | | |

| | | | | |
|-----|--------------------|-----|-----|-----|
| 80 | 38 Venezuela Pet | 24 | 24 | 24 |
| 61 | 2 Vogt Mfg (1) | 24 | 26 | 26 |
| -W- | | | | |
| 6 | 2 Waco Air | 94 | 9 | 9 |
| 4 | 40 Wayne Pump | 274 | 254 | 264 |
| 102 | 8 West Va C & C | 54 | 54 | 54 |
| 11 | 2 West Air Exp | 9 | 9 | 9 |
| 64 | 80 West Pow pf (7) | 104 | 104 | 104 |

Common to fair 2.30@

CHICAGO.

CHICAGO, Feb. 17.—Hogs: Receipts 9000, including 4,000 direct; closing steady to 10c lower; early top \$11.10; top \$11; bulk 170 to 230 pounds, \$10.85; top 81 to 350 pounds, \$10.30@10.85.

| | | | | | |
|-----|--------------------------|-----|-----|-----|---|
| 41 | 2 Wmst Lat & St vtr (1e) | 23 | 23 | 23 | 140 to 160 pound, \$10.00/wt; best |
| 11 | 3 Wmst Oil-O-Mat (1e) | 11 | 11 | 11 | \$10.00; shippers 1.50; estimated hold |
| 11 | 13 Wmst-Low C (1e) | 22 | 22 | 22 | 500. |
| 21 | 2 Williams R C (1e) | 81 | 81 | 81 | 1000; better grade: Receipts 10,000; calves 1 |
| 21 | 4 Wmst-Low C of p | 131 | 131 | 131 | steers medium low weights and weight |
| 27 | 3 Wilson Jones (2e) | 374 | 374 | 374 | steers strong on shipper account; 10 |
| 10 | 10 Wolcott R C (1e) | 41 | 41 | 41 | grade weighty kind and practically |
| 63 | 5 Woodley Pet (40e) | 84 | 71 | 8 | grade yearlings and light steers closed |
| 103 | 71 Wright, Harg (40e) | 94 | 81 | 81 | to 23c lower; generally a dull market |

| | | | | | |
|-----|----------------------|-----------------|----|---|--|
| 132 | 11 Yukon Gold | 3 | 2½ | 8 | cept on heavy better grade steers, Je |
| 35+ | | | | | grade heifers, cutter cows and bulls; la |
| 7½ | | | | | grade fully steady but beef cows and be |
| 148 | DOMESTIC CURE BONDS. | | | | grade heifers easy; best fed heifers |
| 33½ | | | | | practical top heavy steers \$11.25; but |
| 58 | | | | | long yearlings \$13.00; fat lambs \$7.50 |
| | | | | | Sheep: Receipts 9,000; fat lambs 250; pi |
| | Sales (In \$1,000). | High Low.Close. | | | below Friday, bulk around 25c off, pi |
| | 13 Aa Pom. 39, 46 | 103 104 104½ | | | and rounded; ared, these firm; pi |

| | | | | | | | | | | |
|----|-----|----------|-----|---|------|-------|-------|-------|-----|-----|
| 21 | 34 | Ala | Pow | 5 | 61 | ..... | 99 | 98 | 181 | |
| 22 | 64 | Ala | Pow | 5 | 68 | ..... | 95 | 89 | 90 | 181 |
| 23 | 298 | Ala | Pow | 4 | 67 | ..... | 91 | 85 | 86 | 181 |
| 1 | 13 | Ala | Pow | 5 | 66 | ..... | 98 | 97 | 97 | 181 |
| 85 | 5 | Aluminum | Ltd | 3 | 48 | ..... | 104 | 104 | 104 | 181 |
| 2 | 11 | Am | Com | P | 54 | 53 | ..... | 91 | 91 | 181 |
| 3 | 8 | Am | El | P | 8 | 57 | A | ..... | 96 | 181 |
| 85 | 1 | Am | G&E | 5 | 2028 | ..... | 106 | 107 | 181 | 181 |

181 lambs closing weak to lower in a
 pathy with fat lambs decline: bulk be
 grade slaughter lambs \$10 down; top \$1
 to small killers and shippers; ewes :
 5.35; top for choice western ewes to a
 price; double 11-pound feeding lambs \$5
 lightly sorted.

High Low
 181 181 181 181 181 181 181 181 181 181 181

[illegible]

| | | | | | | | | | | |
|------|------------|--------|-----|--------|--------|------|------|------|------|--|
| 75: | 3 | As | G&E | 44s | 48 | ... | 381 | 391 | 381 | |
| 3: | 91 | As | G&E | 44s | 49 C | ... | 391 | 35 | 35 | |
| 61 | 58 | As | T&T | 34s | 55 A | ... | 881 | 871 | 88 | |
| 5: | -B- | | | | | | | | | |
| 14 | Baldw | Loc | 6s | 38 w w | ... | 98 | 98 | 98 | 98 | |
| 119: | 138 | Baldw | Loc | 6s | 38 x x | ... | 981 | 911 | 911 | |
| 5 | Bell T | Can | 5s | 60 C | ... | 1151 | 1151 | 1151 | 1151 | |
| 74 | 5 | Bell T | Can | 5s | 65 C | ... | 1181 | 1181 | 1181 | |
| 6: | -O- | | | | | | | | | |
| 3 | Nor | Con | Ind | Pub | 5 | 48 | A | 64 | 62 | |
| 12 | Nor | Ind | Pub | 5 | 5s | 69 | ... | 1031 | 1031 | |
| 12 | Nor | Ind | PS | 41s | 70 E | ... | 1011 | 1011 | 1011 | |
| 3 | Nor | Oh | P&L | 54s | 51 | ... | 105 | 105 | 105 | |
| 12 | Nor | State | P | 41s | 61 | ... | 1091 | 1091 | 1091 | |
| 3 | Norwest | EI | 6s | 43 | st p. | ... | 1031 | 1031 | 1031 | |
| 21 | Norwest | PS | 5s | 57 | st p. | ... | 1011 | 1011 | 1011 | |

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| | | |
|-----|--|----------------------------------|
| 792 | 2 Del El Pow 5a 59 .. 1084 1084 1084 | -Q- |
| 793 | 5 Denver G&E 5s 49 .. 1084 1084 1084 | 5 Quebec Pow 5s 68 A.. 1064 106 |
| 794 | 3 Det C Gas 6s 47 A .. 1064 1064 1064 | 5 Queens Bor G 5s 32.. 104 104 |
| 795 | 5 Det C Gas 5s 50 B .. 1064 106 106 | -R- |
| 796 | -E- | 7 Roch Cen P 5s 53 .. 98 91 |
| 797 | 3 El Paso El 5s 50 A.. 106 106 106 | 3 Roch R&L 5s 54 1114 1114 |
| 798 | 166 Elec P&L 5s 2090 .. 834 82 82 | -S- |
| 799 | 100 Emvire Dist E 5s 52 .. 1004 100 1004 | |

| | | | | |
|-----|--------------------------|-----|-----|-----|
| 67 | 9 Emp O & R 514 42 | 90 | 90 | 90 |
| 37 | -F- | | | |
| 116 | 58 Fed Water 514 54 | 87 | 85 | 85 |
| 17 | 3 Fatone Cot M 54 48 | 105 | 105 | 105 |
| 114 | 3 Fatone Tire 54 42 | 106 | 106 | 106 |
| 6 | 83 Fla P&L 54 54 | 97 | 96 | 96 |
| 39 | 9 Fla P 514 79 A | 102 | 101 | 102 |
| 11 | -G- | | | |
| | 3 Safe Har W 414 79 | 101 | 101 | 101 |
| | 24 San Ant PS 54 55 B | 104 | 104 | 103 |
| | 2 Sec Int Sec 54 48 | 100 | 100 | 100 |
| | 1 Shaw W&F 514 87 A | 101 | 101 | 101 |
| | 9 STEEL & 3025 | 104 | 104 | 102 |
| | 40 S&P&C Car Pow 54 57 | 99 | 99 | 99 |
| | 50 So Cal Ed 314 60 | 103 | 103 | 103 |
| | 30 So Ind Ry 414 51 | 77 | 76 | 76 |
| | 13 Southern Nat G 414 44 | 108 | 102 | 102 |

[illegible][illegible][illegible]

| | | | |
|-----|----------------------------------|------|------|
| 14 | 5 Ind P&L 5s 57 A ... 106 | 1051 | 1051 |
| 14 | 29 Intercon Pow 6s 48 ... 161 | 154 | 154 |
| 61 | 10 Int Sec Am 5s 47 ... 1011 | 1011 | 1011 |
| 61 | 6 Intercon Pow 6s 52 ... 784 | 764 | 764 |
| 58 | 125 Intercon Pow 5s 57 ... 88 | 854 | 854 |
| 58 | 17 Intercon P Sec 5s 56 D ... 92 | 911 | 911 |
| 14 | 4 Intercon P Sec 4s 58 ... 861 | 881 | 861 |
| 14 | 6 La Pub Svc 5s 57 ... 1041 | 1041 | 1041 |
| 102 | 10 US L&Ry 6s 73 A ... 851 | 841 | 841 |
| 102 | 5 USA Brt 5s 53 48 ... 1001 | 1001 | 1001 |
| 102 | 5 US Rub 3s 39 ... 1051 | 1051 | 1051 |
| 102 | 8 US Rub 6s 40 ... 1061 | 1061 | 1061 |
| 102 | 13 Utah P&L 6s 2022 A ... 1001 | 1001 | 1001 |
| -V- | | | |
| 18 | 18 Virg PS 5s 46 A ... 991 | 991 | 991 |

| | | | |
|----|---------------------------------------|--|-----------------------------------|
| | -J- | | -W- |
| 3 | 12 Jacksonv Gas 54 42 stp 594 58 58 | | 12 Waldorf Ast 7s 54 ... 254 254 |
| 9 | 7 Jer Cen P&L 41s 61 C 1054 1054 105 | | 2 Ward Bak 6s 37 ... 1064 1064 |
| 2 | 13 Jer Cen P&L 54 47 B 1054 106 106 | | 13 West Newap UN 6s 44... 494 |
| 4 | | | 28 West Tex U 3s 57 A... 94 94 |
| | -K- | | 8 WUN&G 54s A ... 106 106 |
| 10 | 11 Kan G&M 6s 2022 A 117 1164 1164 | | 7 Wis Min L&P 5s 44 ... 1064 1064 |
| 18 | 5 Kan Pow 5s 47 A 1024 1024 1024 | | -Y- |
| | 5 Kv Util 54s 55 F 101 1004 101 | | |

| | | | | | | | | | | | | | | | | |
|----|----|-----|------|---|----|----|------|------|------|---|------|----|---|----|------|------|
| 44 | 54 | Kr | Utl | 5 | 69 | I | 984 | 951 | 931 | 5 | York | Rm | 5 | 37 | 1041 | 1041 |
| 28 | 29 | Kr | Utl | 5 | 61 | H | 97 | 954 | 931 | | | | | | | |
| | 6 | Kop | Gash | C | 54 | 50 | 1084 | 1084 | 1081 | | | | | | | |
| | 1 | Kop | Gash | C | 54 | 47 | 1084 | 1084 | 1081 | | | | | | | |

| FOREIGN CURE BONDS. | | | | | | | | | | | | | | | | |
|------------------------------|----|---------|-----|----|------|----|------|------|------|------|------|------|----|-----|-----|-----|
| Sales (in 1,000). High Low C | | | | | | | | | | | | | | | | |
| 44 | 7 | Laclede | G | 54 | 35 | 99 | 90 | 99 | 3 Bu | Aire | Pr | 7 | 47 | 601 | 591 | |
| 651 | 31 | Lehigh | PS | 5 | 2028 | A | 1091 | 1094 | 1091 | 16 | Bu | Aire | Pr | 7 | 52 | 601 |
| 18 | 12 | Kex | Utl | 5 | 52 | A | 1084 | 1084 | 1081 | 11 | Com | Pet | Bk | 54 | 37 | 351 |
| | 31 | Ex | Utl | 5 | 52 | A | 1084 | 1084 | 1081 | 3 | Cubn | Utl | 7 | 41 | A | 984 |

| | | | | | | | | |
|-----|-----------------------|------|------|------|-----------------------|-----|-----|-----|
| 31 | 7 Lih McNAL 5a 42 | 1041 | 1044 | 1041 | 3 Cubn Tot 5e 44 | 75 | 75 | 75 |
| 331 | 12 Long Lih Lt 8e 45 | 106 | 106 | 106 | 3 Ger C Mun 7e 47 | 281 | 46 | 46 |
| 1 | 4 Lou P&L 5e 37 | 1041 | 1041 | 1041 | 3 Isarco Hyd E 7e 52 | 46 | 46 | 46 |
| 5 | | | | | 34 It Sup Pw 6e 65 | 411 | 411 | 411 |
| | | | | | 5 Lima Peru 7e 61 | 46 | 46 | 46 |
| 444 | 6 Manlitoa P 51a 51 A | 781 | 781 | 781 | 7 Nippon EIP 61 53 | 301 | 881 | 881 |
| 4 | 24 Masse Gaa 51a 46 | 1041 | 1041 | 1041 | 4 Paraná Brax 7e 58 | 181 | 171 | 171 |
| 44 | 39 Masse Gaa 5e 35 | 1011 | 1011 | 1011 | 11 Russ 61 NC 19 | 11 | 11 | 11 |
| | 3 McCorr R 6e 43 | 99 | 981 | 99 | 5 Santosn Chile 7e 49 | 11 | 11 | 11 |

| | | | | |
|------|-----------------------|------|------|------|
| 684 | 3 Memphis P&L Se 42 F | 1021 | 1021 | 1021 |
| 21 | 2 Metro Ed Va 52 F | 1051 | 1061 | 1051 |
| 19 | 15 Midland Val 3a ctf | 871 | 871 | 871 |
| 11 | 235 Millw Ut 3a ctf | 1051 | 1051 | 1051 |
| 24 | 5 Milwa G Lt 41 F | 1001 | 991 | 991 |
| 34 | 51 Minn Riv F 6a 4x | 1051 | 1051 | 1051 |
| 191 | 11 Miss P&L Co 3a 37 | 961 | 961 | 941 |
| 1261 | 46 Miss P&L Co 3a 37 | 961 | 961 | 941 |
| 3334 | 42 Miss Penn 3a 35 | 951 | 921 | 921 |

Total stock sales today, 1,500,000 shares.
year ago, 234,110 shares.
Total bond sales today, \$7,100,000.
ago, \$5,092,000.

a-Also extra or extras.
b-Including extra or extras.
c-Paid last year.

| | | | | | | |
|----|----|--------------------|------|------|------|-------------------------------------|
| 27 | 15 | Mo Pub Bv 5s 47 | 661 | 651 | 651 | f-Payable in stock. |
| 28 | 3 | Mont Dac P 51s 44 | 99 | 981 | 981 | g-Declared or paid so far this year |
| 54 | 17 | Mont LH&P 5s 51 | 1061 | 1061 | 1061 | regular rate. |
| 33 | 6 | Narragansett 5s 57 | 1041 | 1041 | 1041 | h-Cash or stock. |
| 37 | | | | | | k-Accumulated dividend paid this |
| 26 | | | | | | ur-Under rule. |
| 44 | | | | | | w-With warrants. |
| 18 | | | | | | xw-Without warrants. |

| | | | | | | | | |
|----|----|--------|-------|-----|----|-----|-----|-----|
| 48 | 49 | Nebr | Pw | 4ja | 81 | 109 | 108 | 109 |
| 32 | 49 | Nevada | Cal | E | 5a | 50 | 95 | 98 |
| 1 | 58 | N Eng | G&E | 5a | 50 | 79 | 78 | 78 |
| 41 | 1 | 29 | N Eng | G&E | 5a | 48 | 79 | 78 |
| 48 | 40 | N Eng | G&E | 5a | 47 | 79 | 78 | 78 |
| | 44 | N Eng | Pow | 5ja | 54 | 97 | 97 | 97 |

**ADDITIONAL MARKET
ON PAGE 21.**

CLASSIFIED ADVERTISING Information

CLOSING HOURS
Want ads accepted up to 5 p. m. for publication the next day. The closing hour for the Sunday edition is 3:30 p. m. Saturday.

CLASSIFIED RATES
Daily and Sunday rates per line for consecutive insertions:
One line 10 cents
Two lines 18 cents
Three lines 25 cents
Four lines 32 cents
Five lines 38 cents
Six lines 45 cents
Seven lines 52 cents
Eight lines 58 cents
Nine lines 65 cents
Ten lines 72 cents
Eleven lines 78 cents
Twelve lines 85 cents
Thirteen lines 92 cents
Fourteen lines 98 cents
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VETERANS WARN WPA OF LAYOFF IN UNCTION

Local Organizations Threaten Legal Action To Prevent Office Ouster.

Threats of a federal injunction to prevent officials of the WPA area statistical office from ousting war veterans in a wholesale reduction of its pay roll brought yesterday from Glen Taylor, regional manager of the office, the simple statement:

"I've heard something about that, but I'm really not interested."

Taylor refused further comment, as members of the Greater Atlanta Post No. 390, Veterans of Foreign Wars, announced through Commander William Gilliland, that they would sue.

"We are behind these men to the limit."

Thirty or more war veterans, who were among 150 employees ousted from the statistical office pay rolls, complained yesterday to A. L. Henson, state veterans' service officer, that they were discriminated against in the wholesale dismissals.

Taylor accused.

"Georgia-born veterans, many of them with families, have produced evidence to show that they are not dependent on the government," Taylor charged while Manager Taylor, who comes from Virginia, protected friends of his that he had imported from Virginia and who have no dependents.

Veterans also charge that while Taylor holds his post as manager of the office, his wife is on another government pay roll.

The injunction, which Henson plans to seek today or tomorrow in federal court, is being drawn up along the line of one which was granted by a court in Philadelphia last Friday and which has tied up all relief funds in that city until veterans are given preference in employment by the WPA.

"However," Henson said yesterday, "we are not seeking preference for the veterans in Atlanta. We merely want to prevent discrimination against them. We believe that Georgia-born veterans with families should hold these WPA jobs in Georgia instead of importing unmarriageable friends of another Taylor."

Taylor's laconic comment yesterday was:

"I'm not interested."

The WPA statistical office in this city is a regional office gathering statistics for WPA headquarters in Washington on activities in Georgia, Alabama, Florida, the Carolinas and Tennessee.

Women are being brought into Atlanta from other states, Henson declared, to conduct a consumer purchase survey.

"Three of these women were employees of the AAA before it was out-lawed by the supreme court," said Henson, "and they are taking care of them by giving them jobs in Georgia that Georgia women should have. Their salaries range from \$187 to \$212 a month."

"I also know of a case where an alien, who is not a citizen of the United States, is on the pay roll in Taylor's office."

The injunction will be drawn up, according to Henson, under the veterans' preference laws, as it was in the Philadelphia case, and should be ready for submission to the federal court late today or tomorrow.

Patrolman Is Elevated



Officer Fred Beerman, member of the police force one year, who yesterday was elevated to assistant station lieutenant by Acting Chief M. A. Hornsby. Beerman is shown on duty at the police station.—Staff photo.

BEERMAN IS NAMED STATION ASSISTANT

Acting Chief Hornsby Elevates Patrolman to Police Station Post.

A member of the police department only a year, Patrolman Fred Beerman yesterday was elevated to assistant station lieutenant by order of Acting Chief M. A. Hornsby.

Beerman, who assisted Lieutenant L. J. Carroll, the chief said.

The new assistant lieutenant became a supernumerary policeman a year ago after having served with the department in a civilian capacity for several years. He was switch board operator for a time.

As a patrolman he was assigned as record clerk and subsequently was placed in charge of a detail of six men handling court records of the police department. From this position he was made assistant lieutenant.

TRAMMELL RESIGNS TAX APPEALS POST

WASHINGTON, Feb. 17.—(AP)—President Roosevelt today received the resignation of Charles M. Trammell as a member of the board of tax appeals, effective immediately.

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City Council Lauds Safety Drive Conducted by The Constitution

Unanimous approval of the work being done by The Constitution in behalf of safe driving was voted yesterday by city council in the adoption of a resolution presented to council by Alderman Ellis B. Barrett.

The Safety Council's campaign against recklessness, carried on by a direct appeal to the drivers themselves, has received the commendation of countless persons, from the President of the United States down to individual citizens in the remotest points of the state.

But the voice of approval by the council of its own city, Atlanta, is especially appreciated by The Constitution.

Text of Resolution.

"Whereas, The Atlanta Constitution is engaged in an educational drive to educate the citizens in safe driving, and

"Whereas, this drive is of far-reaching effect; and

"Whereas, one way to avoid the enormous number of deaths due to reckless driving is to educate the drivers of all vehicles in a program of safe driving;

"Therefore, be it resolved by the mayor and general council of the city of Atlanta that The Atlanta Constitution be and it is hereby so ordered, that the city fathers approve of the effort made in service to the city.

How do you feel about safe driving and the war against recklessness? What is your opinion on a concerted effort by people of the city and state to reduce the awful annual toll in human life?

Are you willing to drive safely to save a life?

If you are, clip out the safe driving pledge in the last issue of this paper and mail it to the Safety Council, Atlanta Constitution, with a stamped, self-addressed envelope.

We are sending you in return for your signed pledge. Place these stickers on the front and rear windows of your car as a reminder that safety is not a luxury, but a necessity. Remember that you do not consider human beings the natural prey for thoughtless automobile drivers.

Add your word to the safety campaign today. Sign the safe driving pledge and remember those seven simple rules of safe driving every minute you are at the wheel of your car.

11 primary were present. Simmons addressed the Duties and Responsibilities of the Clerk of a Superior Court in Georgia.

Major W. A. Cunningham will address the Kiwanis Club at its luncheon meeting at the Ansley hotel at 12:30 o'clock today. He will discuss "The Italian-Ethiopian Situation."

Civilians will hold their weekly luncheon meeting at the Atlanta Athletic Club at 12:30 o'clock today. Archie Bagley, director of the bureau of physical education for the insurance company will speak on "Keeping Fit Through Play and Exercise."

Miss Jane Kelley, of Atlanta, student in the women's college at Duke University, recently was appointed to the freshman commission of the student body of W. C. A. She is the daughter of Paul Kelley, of 882 Penn avenue.

Southeastern Rabbit and Small Stock Association will hold a meeting at 7:30 o'clock tonight at the Ansley hotel. W. T. McLean, secretary, announced yesterday.

Trial of Ralph Owens, convicted bootlegger, on charges of reckless driving was postponed yesterday in re-quirement of a new trial. Owens was injured in a collision of his car with a police machine.

City physicians yesterday gave physical examinations to 10 applicants for membership in the Atlanta police department. The same number will be examined every day until all of 150 applicants have been tested.

Alex Butler, wounded Sunday by a shotgun burglar trap in the home of J. H. Nunnally at 1750 Peachtree street, remained in the hospital yesterday at the Crawford W. Long hospital. Butler, who was given executive clemency last December 15 by Governor Tamm, was convicted of burglary charges last year.

"Where the Spirit Goes After Death" will be the subject of a talk by the Rev. Peter Marshall, pastor of the Westminster Presbyterian church, before the Y. M. C. A. Bible Club at 8:45 o'clock tonight. This lecture, the third in a series entitled "Behind the Curtain," will be open to men of the city.

Sacred Harp singing will be conducted by the B. F. White class at 498 Crew street, S. W., tonight, it was announced yesterday.

Open competitive examinations will be given for the positions of associate engineer, second engineer, and assistant public health engineer at \$2,200, and assistant public health engineer at \$2,600 a year, the Civil Service Commission announced yesterday. Full information may be obtained from the district manager of the board of examiners, at the Postoffice building.

Members of the fire department will meet today and tomorrow to express themselves regarding a mandamus action sought to compel the city to re-open the case of the late fireman, J. W. Standridge, who died in the fire at the division of Fulton county court. It was brought by A. Steve Vance and J. A. Harper, labor leaders.

S. C. Noland, ninth ward board of education member, yesterday refused to accept assignments asserting it would be useless to serve any group which had been "stacked" by Ed S. Cook, board president, and recognized leader of the majority faction on the board.

Councilman Raleigh Drennon, ninth ward, yesterday was confined to his home by the flu. He is suffering from an attack of influenza.

Salary increases aggregating \$11,340 were voted yesterday by the Atlanta bond commission to about 20 city engineers who are supervising the \$8,000,000 sewer improvement program for Atlanta. Clark A. White, chief of construction, told commission members that the city would save money by supplementing salaries of engineers now on municipal pay rolls.

"City Manager Government for Atlanta" will be the subject of an address at 10:30 o'clock Friday morning by Councilman John A. White at the Kennesaw Garden Club. He has advocated a city manager form of government for Atlanta for the past several months.

J. C. (Mott) Aldridge, candidate for sheriff of Fulton county, addressed a meeting of workingmen at the Southern Railway shops yesterday. He will speak tonight to Atlanta street carmen at Labor Temple. Several other meetings are scheduled to be addressed by Mr. Aldridge during the week.

Albert Stubbs and Madison Byrd, students at Emory University, yesterday argued the negative in a no-decision debate with a team from Washington & Lee University on the question of whether or not congress should have the right to override decisions of the supreme court. Stanford Shaw and Edward Markham represented Washington & Lee.

Address by Rev. L. H. Aronson, of Chicago, will feature the program tonight in the third of five Jewish-Christian conferences being held this week at the Central Baptist church.

U.S. Cotton TINKERING FLAYS BY MERCHANT

Texan, in Senate Probe, Says Government Interference Caused Price Drop.

WASHINGTON, Feb. 17.—(AP)—Government "tinkering" with cotton was denounced today by W. L. Clayton, Houston (Texas) cotton merchant, at the start of senate agriculture committee investigation into futures exchanges.

Clayton was the first witness. Hearings were authorized last year after a two-cent market break March 11, 1935.

In a statement, the cotton merchant said "government tinkering in the cotton market" was chiefly responsible for the drop.

"The unusual market situation that made the price break of March 11 was caused by the overpricing of American cotton due to the control program, and 12-cent loan," Clayton declared.

Past policies of the government in dealing with the cotton situation, he added, had substituted "guessing" for "experience, judgment, discretion and such like qualities" in fixing the value of cotton.

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ATLANTAN LOSES BILL FOR RETIREMENT PAY

WASHINGTON, Feb. 17.—(AP)—President Roosevelt vetoed five private relief bills today, four of them involving former army men.

One measure would have ordered reopened the retirement case of Edward S. West, of Atlanta, who entered the army during the World War as a provisional officer, later was commissioned in regular status as a captain of cavalry and was honorably discharged in 1922 when the commissioned strength of the army was reduced.

Bill sought to have him rated as retired involving pension because of an injury, rather than discharged.

Another of the bills would have paid the executor of the estate of Julius C. Sell, brothers, Mr. William H. Sell, Mr. A. B. Sell and Mr. J. H. Sell, all of Louisville, Ky. Funeral arrangements will be announced later by H. M. Patterson & Son.

ARENSMAN—Died, Mrs. Emma L. Arensman, of 1233 Lanier boulevard, N. E., February 17, 1936. She is survived by her daughters, Mrs. H. M. Endly, Indianapolis, Ind.; Mrs. B. G. Whittington, Ramsey, N. J.; sons, Mr. A. D. Arensman, Mr. C. F. Arensman, Indianapolis, Ind.; Mr. J. D. Arensman, Hollywood, Cal.; sisters, Mrs. A. D. Bauman, Louisville, Ky.; Miss Kate Sell, brothers, Mr. William H. Sell, Mr. A. B. Sell and Mr. J. H. Sell, all of Louisville, Ky. Funeral arrangements will be announced later by H. M. Patterson & Son.

BISHOP—Friends and relatives of Mr. and Mrs. Barney T. Bishop, Miss Evelyn R. T. Bishop, Mary Ann Bishop, Mrs. J. D. Bishop, and Mrs. E. A. Hamilton, Mr. and Mrs. W. O. Farmer, Mr. and Mrs. J. B. Casteel, of Roswell, Ga., and Mrs. R. E. Casteel, of Alpharetta, Ga., and Mrs. C. G. Best, Mrs. Ida B. Adams, Miss Evelyn Weems, of Atlanta, Ga., are invited to attend the funeral of little Budgie Hugh Bishop, who died at 10 o'clock, at Mount Olive cemetery, Rev. Bill Allison will officiate. A. C. Hemphrey & Sons.

FINLEY—Miss Josephine Finley, age 68, of 848 Bankhead avenue, died at the residence, Feb. 17, 1936. She is survived by one nephew, Mr. T. Burge; four great-nephews, Messrs J. E. R. H. R. O. and I. G. Burge; and several other relatives. Burial will be held at 2:30 p. m. from Bellwood Baptist church, Rev. DeWitt Reagan, officiating. Interment in Casey's cemetery, West Side Funeral Home.

HICKS—Friends and relatives of Mr. and Mrs. George M. Hicks, Mr. C. Street, Miss Christine Hicks, Miss Elizabeth Hicks, Mr. Bill Hicks, Mr. Leon Hicks, Mr. John Hicks, and Mrs. J. H. New, all of Stone Mountain, Ga., are invited to attend the funeral of Mr. George M. Hicks, who died at 10 o'clock, at Mount Olive cemetery, Rev. J. C. Clay will officiate. Interment in Stone Mountain cemetery.

LISE—Died, Miss Amelia Lise, of 1243 North avenue, N. E., February 17, 1936. She is survived by her mother, Mrs. A. C. Lise, of Evansville, Ind.; brother, Mr. Albert Lise, Washington, D. C.; niece, Mrs. Leland O'Callaghan, of Louisville, Ky. The remains will be taken to Louisville, Ky., this (Tuesday) evening, February 18, 1936, at 6:25 o'clock, via L. & N. railroad, for funeral services at 10:30 a. m. at the residence, 404 E. Washington street, at 1:45 o'clock. Howard L. Carmichael.

COCHRAN—Friends and relatives of Mr. and Mrs. T. W. Cochran, of Marietta, Ga., and Mrs. E. E. Cochran, of Atlanta, Ga., are invited to attend the funeral of Mrs. T. W. Cochran, who died at 10 o'clock, at Mount Olive cemetery, Rev. J. C. Clay will officiate. Interment in Stone Mountain cemetery.

SPARKS—The funeral of Rev. M. L. Sparks will be held today at 2 p. m. from Reed Street Baptist church. Pollard Funeral Home.

JACKSON—The remains of Mr. Alex Jackson are resting in our parlors pending completion of funeral arrangements. Hanley Co.

BANKS—Little Miss Junita Elaine Banks passed away at her residence, February 17, 1936. Funeral announced later. Haugbrooks.

REDDING—The remains of Mr. Richard Redding are held for location of relatives. David T. Howard & Co.

BELL—The remains of Mrs. Victoria Bell, of 287 1-2 Edgewood avenue, will be sent today to Elberton, Ga., for funeral and interment. Hanley Co.

WATSON—Mrs. Lillie B. Watson, the sister of Mrs. L. V. Watson, died February 16. The funeral will be held at 2 p. m. at the Ebenezer Baptist church, Tuesday, February 18, at 2:30 p. m. E. T.

KIMBALL—The many friends and relatives of Miss Bernice Kimball, of 917 Mayson-Turner avenue, are invited to attend her funeral today at 1 p. m. from the residence, Rev. Parker will officiate. Interment, South View cemetery. Hanley Co.

HOWARD—The relatives and friends of Mrs. Alice Howard, of 545 Irwin street, are invited to attend her funeral this (Tuesday) afternoon at 1 o'clock from Beulah Baptist church, Griffin street. Interment, Lithonia cemetery. Cox Bros., of Lithonia, W. L. Allen in charge.

ROBINSON—The friends and relatives of Mrs. Julia Robinson are invited to attend her funeral this (Tuesday) at 2 p. m. from Antioch Baptist church, Griffin street. Interment, Lithonia cemetery. Cox Bros., of Lithonia, W. L. Allen in charge.

DENNY—The friends and relatives of Mr. Abraham P. Denny, Mr. and Mrs. A. T. Walden are invited to attend the funeral of Mr. Abraham P. Denny, who died at 10 o'clock at the residence, 980 Westmore drive, Rev. D. T. Murray officiating. The remains will be carried via Seaboard railroad to Westchester, Pa., at 10 o'clock for interment, Ivy Bros., morticians.

LEGAL NOTICES

OF AMERICA, D. C. the United States of America, represented by Secretary of Commerce, acting by and through the United States Shipping Board Merchant Fleet Corporation, invited sealed bids from citizens of the United States for the leasing of the United States Ship "Nashville" (formerly known as the Norfolk Army Supply Ship "Nashville") for service in or near the City of Norfolk, Virginia, for the term commencing March 25, 1936, and ending June 25, 1936.

Prospective bidders may obtain formal bids and information by calling on the undersigned at the office of the undersigned, together with draft of lease to be executed and the terms and conditions under which the property will be leased, upon presentation of a check for \$10.00. Bids will be received until 11 a. m., Eastern Standard Time, March 6, 1936, then and there.

The right is reserved to reject any and all bids.

J. C. PEACOCK, President, Merchant Fleet Corporation.

FUNERAL NOTICES

PARKER—Funeral services for Mr. Paul H. Parker will be held this (Tuesday) morning at 11 o'clock from the Pleasant Hill Baptist church. Rev. W. N. Pruitt will officiate. Harry G. Poole, funeral director.

ARENSMAN—Died, Mrs. Emma L. Arensman, of 1233 Lanier boulevard, N. E., February 17, 1936. She is survived by her daughters, Mrs. H. M. Endly, Indianapolis, Ind.; Mrs. B. G. Whittington, Ramsey, N. J.; sons, Mr. A. D. Arensman, Mr. C. F. Arensman, Indianapolis, Ind.; Mr. J. D. Arensman, Hollywood, Cal.; sisters, Mrs. A. D. Bauman, Louisville, Ky.; Miss Kate Sell, brothers, Mr. William H. Sell, Mr. A. B. Sell and Mr. J. H. Sell, all of Louisville, Ky. Funeral arrangements will be announced later by H. M. Patterson & Son.

BISHOP—Friends and relatives of Mr. and Mrs. Barney T. Bishop, Miss Evelyn R. T. Bishop, Mary Ann Bishop, Mrs. J. D. Bishop, and Mrs. E. A. Hamilton, Mr. and Mrs. W. O. Farmer, Mr. and Mrs. J. B. Casteel, of Roswell, Ga., and Mrs. R. E. Casteel, of Alpharetta, Ga., and Mrs. C. G. Best, Mrs. Ida B. Adams, Miss Evelyn Weems, of Atlanta, Ga., are invited to attend the funeral of little Budgie Hugh Bishop, who died at 10 o'clock, at Mount Olive cemetery, Rev. Bill Allison will officiate. A. C. Hemphrey & Sons.

FINLEY—Miss Josephine Finley, age 68, of 848 Bankhead avenue, died at the residence, Feb. 17, 1936. She is survived by one nephew, Mr. T. Burge; four great-nephews, Messrs J. E. R. H. R. O. and I. G. Burge; and several other relatives. Burial will be held at 2:30 p. m. from Bellwood Baptist church, Rev. DeWitt Reagan, officiating. Interment in Casey's cemetery, West Side Funeral Home.

HICKS—Friends and relatives of Mr. and Mrs. George M. Hicks, Mr. C. Street, Miss Christine Hicks, Miss Elizabeth Hicks, Mr. Bill Hicks, Mr. Leon Hicks, Mr. John Hicks, and Mrs. J. H. New, all of Stone Mountain, Ga., are invited to attend the funeral of Mr. George M. Hicks, who died at 10 o'clock, at Mount Olive cemetery, Rev. J. C. Clay will officiate. Interment in Stone Mountain cemetery.

LISE—Died, Miss Amelia Lise, of 1243 North avenue, N. E., February 17, 1936. She is survived by her mother, Mrs. A. C. Lise, of Evansville, Ind.; brother, Mr. Albert Lise, Washington, D. C.; niece, Mrs. Leland O'Callaghan, of Louisville, Ky. The remains will be taken to Louisville, Ky., this (Tuesday) evening, February 18, 1936, at 6:25 o'clock, via L. & N. railroad, for funeral services at 10:30 a. m. at the residence, 404 E. Washington street, at 1:45 o'clock. Howard L. Carmichael.

COCHRAN—Friends and relatives of Mr. and Mrs. T. W. Cochran, of Marietta, Ga., and Mrs. E. E. Cochran, of Atlanta, Ga., are invited to attend the funeral of Mrs. T. W. Cochran, who died at 10 o'clock, at Mount Olive cemetery, Rev. J. C. Clay will officiate. Interment in Stone Mountain cemetery.

SPARKS—The funeral of Rev. M. L. Sparks will be held today at 2 p. m. from Reed Street Baptist church. Pollard Funeral Home.

JACKSON—The remains of Mr. Alex Jackson are resting in our parlors pending completion of funeral arrangements. Hanley Co.

BANKS—Little Miss Junita Elaine Banks passed away at her residence, February 17, 1936. Funeral